

11.

House Calendar No. 468

91TH CONGRESS
2D SESSION**H. RES. 1540**

[Report No. 94-1566]

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 14, 1976

Mr. GONZALEZ (for himself, Mr. DOWNING of Virginia, and Mr. FAUNTROY)
submitted the following resolution; which was referred to the Committee
on Rules

SEPTEMBER 15, 1976

Referred to the House Calendar and ordered to be printed

RESOLUTION

1 *Resolved*, That there is hereby created a select commit-
2 tee to be composed of twelve Members of the House of Rep-
3 resentatives to be appointed by the Speaker, one of whom
4 he shall designate as chairman. Any vacancy occurring in
5 the membership of the select committee shall be filled in the
6 same manner in which the original appointment was made.

7 The select committee is authorized and directed to con-
8 duct a full and complete investigation and study of the cir-
9 cumstances surrounding the death of John F. Kennedy and
10 the death of Martin Luther King, Junior, and of any others
11 the select committee shall determine.

12 For the purpose of carrying out this resolution the select

18884

1 committee, or any subcommittee thereof authorized by the
2 select committee to hold hearings, is authorized to sit and
3 act during the present Congress at such times and places
4 within the United States, including any Commonwealth or
5 possession thereof, whether the House is in session, has re-
6 cessed, or has adjourned, to hold such hearings, and to re-
7 quire, by subpoena or otherwise, the attendance and testimony
8 of such witnesses and the production of such books, records,
9 correspondence, memorandums, papers, and documents as it
10 deems necessary; except that neither the select committee
11 nor any subcommittee thereof may sit while the House is
12 meeting under the five-minute rule unless special leave to sit
13 shall have been obtained from the House. The chairman of
14 the select committee may establish such subcommittees of the
15 select committee as he considers appropriate. A majority of
16 the members of the select committee shall constitute a quorum
17 for the transaction of business, except that the select com-
18 mittee may designate a lesser number as a quorum for the
19 purpose of taking testimony. The select committee may em-
20 ploy and fix the compensation of such clerks, experts, con-
21 sultants, technicians, attorneys, investigators, and clerical and
22 stenographic assistants as it considers necessary to carry out
23 the purposes of this resolution. The select committee may re-
24 imburse the members of its staff for travel, subsistence, and
25 other necessary expenses incurred by them in the perform-

1 ance of the duties vested in the select committee, other than
2 expenses in connection with meetings of the select commit-
3 tee or any subcommittee thereof held in the District of
4 Columbia. Subpenas may be issued under the signature of
5 the chairman of the select committee or any member of the
6 select committee designated by him, and may be served by
7 any person designated by such chairman or member.

8 The select committee shall report to the House as soon
9 as practicable during the present Congress the results of its
10 investigation and study, together with such recommendations
11 as it deems advisable. Any such report which is made when
12 the House is not in session shall be filed with the Clerk of
13 the House.

House Calendar No. 468

94TH CONGRESS
2d Session **H. RES. 1540**

[Report No. 94-1566]

RESOLUTION

Creating a select committee to conduct an investigation and study of the circumstances surrounding the death of John F. Kennedy and the death of Martin Luther King, Junior, and of any others the select committee shall determine.

By Mr. GONZALEZ, Mr. DOWNING of Virginia,
and Mr. FAUNTROY

SEPTEMBER 14, 1976

Referred to the Committee on Rules

SEPTEMBER 16, 1976

Referred to the House Calendar and ordered to be
printed

CREATING A SELECT COMMITTEE TO CONDUCT AN INVESTIGATION
AND STUDY OF THE CIRCUMSTANCES SURROUNDING THE DEATH OF
JOHN F. KENNEDY AND THE DEATH OF MARTIN LUTHER KING, JUN-
IOR, AND OF ANY OTHERS THE SELECT COMMITTEE SHALL DETER-
MINE

SEPTEMBER 15, 1976.—Referred to the House Calendar and ordered to be printed

Mr. MADDEN, from the Committee on Rules,
submitted the following

REPORT

(To accompany H. Res. 1540)

The Committee on Rules, having had under consideration House Resolution 1540, by a record vote of 9 yeas, 4 nays, and 1 voting "present," report the same to the House with the recommendation that the resolution do pass.

SUMMARY OF THE MAJOR PROVISIONS

H. Res. 1540 provides for a select committee to be composed of 12 members to be appointed by the Speaker. The select committee is directed to conduct a full and complete investigation and study of the circumstances surrounding the death of John F. Kennedy and the death of Martin Luther King, Junior and of and others the select committee shall determine.

H. Res. 1540 provides that the select committee is authorized to sit and meet throughout the remainder of the 94th Congress whether or not the House is in session and also provides that the select committee shall have subpoena power.

H. Res. 1540 provides that the Chairman of the select committee may establish such subcommittees as he considers appropriate and that the select committee may designate a lesser number than a majority as a quorum for the purpose of taking testimony.

H. Res. 1540 provides that the select committee may employ and fix the compensation of such clerks, experts, consultants, technicians, attorneys, investigators, and clerical and stenographic assistants as it considers necessary to carry out the purposes of this resolution, that the select committee may reimburse its staff members for travel and other necessary expenses and that the select committee shall report to the House the results of its investigation and study together with such recommendations as it deems advisable.

LEGISLATIVE HISTORY AND COMMITTEE ACTION

The Committee on Rules held one day of hearings on similar resolutions on March 31, 1976. The Committee ordered reported H. Res. 1540 by a record vote of 9 ayes and 4 nays and 1 "present" on September 15, 1976.

STATEMENT UNDER CLAUSE 2 AND CLAUSE 2(1)(3)(4) OF RULE XI OF THE RULES OF THE HOUSE OF REPRESENTATIVES

A. Oversight statement

The Committee made no special oversight findings on this resolution.

B. Budget statement

No budget statement is submitted.

C. Estimate of the Congressional Budget Office

No estimate or comparison was received from the Director of the Congressional Budget Office as referred to in subdivision (C) of Clause 2(1)(3) of the House Rule XI.

D. Oversight findings and recommendations of the Committee on Government Operations

No findings or recommendations of the Committee on Government Operations were received as referred to in subsection (d) of clause 2(1)(3) of House Rule XI.

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PROVIDING FUNDS FOR THE EXPENSES OF THE INVESTIGATIONS AND STUDIES TO BE CONDUCTED BY THE SELECT COMMITTEE ON ASSASSINATIONS

SEPTEMBER 24, 1976.—Referred to the House Calendar and ordered to be printed

Mr. THOMPSON, from the Committee on House Administration, submitted the following

REPORT

[To accompany H. Res. 1557]

The Committee on House Administration, to which was referred the resolution (H. Res. 1557) having considered the same, report favorably thereon with an amendment and recommend that the resolution as amended do pass.

On September 23, 1976, a quorum present, the Committee on House Administration adopted, by roll call vote of 14 ayes and 1 nay, a motion to report House Resolution 1557, with a Committee amendment.

AMENDMENT

Strike all after "Resolved," and insert in lieu thereof the following:

That (effective September 17, 1976) expenses of investigations and studies to be conducted by the Select Committee on Assassinations, acting as a whole or by subcommittee, not to exceed \$150,000, including expenditures for the employment of investigators, attorneys, and clerical and other assistants, and for the procurement of services of individual consultants or organizations thereof pursuant to section 202(i) of the Legislative Reorganization Act of 1946, as amended (2 U.S.C. 72a(i)), shall be paid out of the contingent fund of the House on vouchers authorized by such committee, signed by the chairman of such committee, and approved by the Committee on House Administration. Not to exceed \$30,000 of the total amount provided by this resolution may be used to procure the temporary or intermittent services of individual consultants or organizations thereof pursuant to section 202(i) of the Legislative Reorganization Act of 1946, as amended (2 U.S.C. 72a(i)); but this monetary limitation on the procurement of such services shall not prevent the use of such funds for any other authorized purpose.

Sec. 2. No part of the funds authorized by this resolution shall be available for expenditure in connection with the study or investigation of any subject which is being investigated for the same purpose by any other committee of the House; and the chairman of the Select Committee on Assassinations shall furnish the

Committee on House Administration information with respect to any study or investigation intended to be financed from such funds.

SEC. 3. Funds authorized by this resolution shall be expended pursuant to regulations established by the Committee on House Administration in accordance with existing law.

House Resolution 1557, as amended, provides funds in the amount of \$150,000 to support the investigations and studies to be conducted pursuant to House Resolution 1540 during the remainder of the 94th Congress.

The Honorable Thomas N. Downing, Chairman, and the Honorable Samuel Devine, Ranking Minority Member of the Select Committee, appeared before the Committee and testified in support of the resolution.

Chairman Downing outlined his committee's need for funds in the following statement submitted to the Committee on House Administration:

STATEMENT OF THE HONORABLE THOMAS N. DOWNING, CHAIRMAN,
HOUSE SELECT COMMITTEE ON ASSASSINATIONS

I have submitted to the Committee on House Administration the proposed budget for the Select Committee on Assassinations.

This committee has been established because of the continuing doubts which have plagued both the public and a majority of the Members of the House as to the facts surrounding the tragic deaths of at least two of our most popular national leaders in recent years, President John F. Kennedy and Dr. Martin Luther King, Jr.

Since the Warren Commission issued its report in 1964, many questions have been raised as to the validity of its basic conclusions. The doubts have been reinforced over the last year or two by the revelations that much extremely relevant information was consciously and purposefully withheld from the Warren Commission.

In the case of Dr. King, who was slain in Memphis on April 4, 1968, the alleged assassin, James Earl Ray was never tried for the murder. Ray has since attempted to withdraw his plea and stand trial. However, seven years later, after a long court fight, Ray has been unable to obtain a trial. Ray has maintained that Dr. King was murdered as the result of a conspiracy, and as in the Kennedy case, much new evidence has recently surfaced with respect to Dr. King's death. When this information came to the attention of the Black caucus in the House, it provided the impetus for a favorable report by the rules committee on September 15th and overwhelming approval by the House on September 17th by a vote of 280 to 65.

During the remaining three months of this session of the 94th Congress, the new select committee hopes to organize its staff, set its priorities, preserve some testimony of key witnesses who may be in danger, and proceed cautiously with an analysis of the Warren Report itself. Under its authorizing resolution, the select committee is bound to report its finding to the House at the conclusion of this Congress.

Mr. Chairman, a word about the budget. We have submitted a budget for the remainder of this year. This figure is less than the \$250,000 I mentioned on the floor of the House during the debate preceding the vote on H. Res. 1540. We have tried very hard to minimize our projected needs to the utmost. Actually, this select

committee will require at least \$250,000 for a given three month period to do its work adequately. Due to the nature of its mandate, this select committee will encounter substantial expenses in the areas of travel, communication, hearings, and duplication. More staff than we now have called for will be necessary when the committee goes into full operation. I expect that our experience over the next few months will be most helpful in preparing the budget for the next Congress, as it is then that we expect the select committee will conduct most of its work. The amount requested is sufficient only because the necessary expenses will not begin immediately. The staff will be hired over the three month period, and no public hearings or other activity will take place before the November elections. However, it would be tragic for the select committee, even in its early stages, to be hamstrung for lack of funds. We need this amount to do the job. Let me assure you, however, that we shall be as prudent as possible with expenditures.

BUDGET SUMMARY

	Annual	3 months
Administrative expenses		
Duplication	\$7,200	\$1,800
Travel	170,000	27,500
Hearings	63,000	15,750
Witness fees	10,000	2,500
Stationery	4,300	1,075
Communications	6,000	1,500
Newspapers, magazines	2,500	625
Contingent	1,900	475
Total	234,900	51,225
Payroll total	505,100	126,275
Consultants	125,000	30,000
Grand total	865,000	207,500

ANTICIPATED STAFF

Number	Position	Annual salary	3 month salary
1	Executive director	\$37,800	\$9,450
1	Chief counsel	37,800	9,450
1	Assistant director	25,000	6,250
1	Senior counsel	32,000	8,000
1	Counsel at \$14,000	48,000	12,000
2	Counsel at \$14,500	33,000	8,250
1	Chief investigator	33,000	8,250
2	Investigator at \$22,000	44,000	11,000
2	Investigator at \$16,500	33,000	8,250
1	Chief clerk	23,000	5,750
1	Office manager	15,000	3,750
1	Editor	25,000	6,250
2	Secretary at \$3,000	6,000	1,500
10	Clerical stenographic at \$17,000	170,000	42,500
	Total payroll	505,100	126,275
	Consultants	125,000	30,000

when, *deus ex machina*, the Secretary of State decided to fly into town and take personal charge. Unfortunately, in this as in so many other problem areas, Mr. Kissinger has had a deep fear of institutionalizing solutions and a strong addiction to virtuoso performances which seldom have lasting impact.

A. ENFORCE THE LAW OF THE SEA POLICY

Using ocean resources to build peace, development and ecological sanity should be the heart of the policy the United States recommends to the Law of the Sea Conference. We should make it clear that we do not fear but rather welcome the economic power and prestige it gives to ocean institutions and to the countries which are the major beneficiaries of such a policy. To this end we should make it clear that we favor:

a. "Graduated sharing" (see Barba Negra Formula above) of offshore mineral revenues by all coastal states. These revenues should be contributed to a World Common Heritage Fund to aid development and environmental protection and to make a modest contribution to the budget of the United Nations. That sharing should generate at least two billion dollars a year for the Common Heritage Fund by 1980.

b. A workable world-wide plan to fight ocean pollution and appropriate financing for it. Since some 90% of ocean pollution is land-based it is essential that there be large-scale funding to deal with it. However there is no reason to believe that the Conference will do much that is meaningful about this kind of pollution unless it has the kind of revenue base we have indicated.

c. Strong ocean institutions which permit exploitation of deep ocean minerals by private, state and international enterprises according to agreed rules. As Secretary Kissinger has indicated, the U.S. and other developed countries should be ready to see that the ocean authority's own exploiting arm ("The Enterprise") has the finances, skills and equipment to play a major role in exploiting the deep ocean. We should pay special attention to the very legitimate concerns of nations which mine hard minerals on land. Careful thought should be given to giving additional responsibilities to these institutions, e.g. serving as a continuing forum for discussing marine-related problems. The Ocean Authority would be a major force for building trust, peace and prosperity.

d. While adhering to the idea of a 200-mile fishing zone under coastal state administration, we should favor permitting foreign vessels, under appropriate conditions, to take those fish, up to the maximum sustainable yield, which the coastal state does not take.

e. A world-wide scientific effort to increase the yield of marine species—and thus of protein—through aquaculture, etc. Common heritage funding should be helpful here.

f. A major effort to assist the "transfer of technology," i.e. marine-related technology, from developed to developing states. Common heritage funding should also be helpful here.

g. A 12-mile territorial sea but unimpeded transit through traditional international straits.

h. As much freedom of scientific research as possible. If the treaty is generous in other areas it may be generous in this one. If not, there is reason to believe that coastal states will demand complete control over research off their shores.

i. Dispute settlement procedures which are fair, equitable and binding. Binding procedures will probably be acceptable unless a state that is a party to the treaty is a party to the dispute.

SOME CONCRETE STEPS TO DEVELOP AND IMPLEMENT THE NEW LAW OF THE SEA APPROACH

1. President-elect Carter should appoint a Presidential Commission on Law of the Sea Policy to make recommendations for a bold and statesmanlike law of the sea initiative. He should choose appropriate people in the executive and legislative branches and in the private sector (labor, business, and universities, the foundations, major law firms, and media, etc.) who are likely to support such an approach. One important source for such names would be the U.S. membership of the Trilateral Commission which recently issued the excellent report "A New Regime for the Oceans." Its members include such prominent Americans as Jimmy Carter, Walter Mondale, Cyrus Vance, David Rockefeller, I. W. Abel, Hedley Donovan, Sol Linowitz and Don Fraser. (The Commission's report proposed that wealthy coastal states share as much as one-half the royalties between 13 and 200 miles from shore. Obviously this is a much more generous proposal than the one in the Barba Negra Formula.)

2. In a "Charge to the Commission" indicate some general guidelines along the lines indicated above. Put special emphasis on the problem of how to win public support for such a bold new initiative.

3. In the State of the Union and/or the Inaugural Address indicate that law of the sea is a major concern of the new President and the new Administration and that U.S. policy will be guided as much as possible by the concept of the oceans as "the common heritage of mankind."

4. By a series of gestures, the President, the new Secretary of State and the new Ambassador to the United Nations should indicate their interest in and commitment to this new approach to law of the sea. These might include any or all of the following:

a. A major address of the new ocean policy at the U.S. Naval Academy on "The New World of the Sea." Other addresses at other symbolic locations, e.g. Woods Hole Oceanographic Institution.

b. Appointment of a well-known, well-regarded and dynamic internationalist as head of the U.S. Law of the Sea Delegation.

c. White House dinner for ocean internationalists such as Thor Heyerdahl, Jacques Cousteau, leading figures from "Operation Sail" and key figures in the UN Law of the Sea Conference.

d. A well-prepared White House Conference on the Law of the Sea, to be the very successful 1965 White House Conference on Natural Beauty. Broad participation, including youth.

e. A short presidential voyage on the Norwegian square-rigger Barba Negra. That tall ship has been host to two sets of UN delegates from UN headquarters.

f. Encourage all government officials to "think law of the sea," i.e. to see how their special policy area might probably affect or be affected by marine development.

g. In relevant presidential and other major speeches bring in law of the sea—and its implications for other policy areas—as frequently as possible. Where appropriate, use nautical terms and analogies, e.g. crew, ship, new wind, storms, fair seas etc. etc.

5. Carefully craft major addresses and messages to suggest the general outlines of the policy we seek. Find and use arguments to support it from a variety of fields and from the national positions or arguments or histories of the many nations we will be working with.

6. Create a "Law of the Sea Day" to be observed annually.

7. Appoint more "public interest members" and fewer "special interest" members. From time to time the President should meet personally with key members and give them public and private support and encouragement.

8. Work as closely as possible with key Senators and Congressmen on both sides of the aisle and with staffs of key committees. Encourage and assist old ocean internationalists in the Congress e.g. Hubert Humphrey, Claiborne Pell, Pete McCloskey, Don Fraser etc.

As we Americans "think anew" our ocean policies we should encourage all countries—and especially Third World countries—to do the same. Hopefully together we will find new ways to give substance to the bright vision of the oceans as "the common heritage of mankind." The United States should put special emphasis on the interests and concerns of the Third World—and especially those Third World nations which entered the UN in 1960 or later. Many of these new nations have begun to question law of the sea policies which are sold as "good for the Third World" or "a step in the direction of the new economic order." They have begun to see that one of these policies, the 200-mile EEZ, would undermine and all but destroy the idea of the common heritage, that it would reinforce the old economic order and freeze out most, if not all, the many Third World countries which are not blessed with long coastlines.

Let us hope that President Carter will see—and seize—the exciting opportunity which the spring session of the Law of the Sea Conference presents. Let us hope that he will authorize—and take part in—a searching reexamination of U.S. policies and goals in the Conference. And let us hope that he will initiate a constructive "ocean dialogue" with all nations to see how the oceans and their immense wealth can be used to promote peace and justice on land as well as on sea.

SOME SECOND THOUGHTS ON THE SPECIAL COMMITTEE ON ASSASSINATIONS

HON. LARRY McDONALD

IN THE HOUSE OF REPRESENTATIVES

Monday, January 24, 1977

Mr. McDONALD. Mr. Speaker, I was one of the Members of the House that cosponsored the resolution to establish the Special Committee on Assassinations during the 94th Congress. I felt then, as I do now, that the Warren commission did an inadequate job in the investigation of the murder of President Kennedy. Many questions were left unanswered and the Warren commission had a pre-conceived belief that Lee Harvey Oswald was the sole assassin.

A number of things, which have happened since the establishment of the committee, have disturbed me, however. One of these is certainly the excessive budget: \$13 million over 2 years is far too much to spend of taxpayers' money. But more to the point, the plan to have 50 attorneys to work with the 50 investigators for the committee is completely

unrealistic. Congressional investigations in the past have usually had a number of investigators gathering data for each, usually underworked, counsel. If these attorneys are to be used instead as researchers, to read and evaluate the voluminous literature available on the subject, then they are the wrong people, with the wrong training for this assignment. Experienced researchers are needed for such a project.

Of greater significance to me, however, has been the problem of leaks from the committee staff, even before they have hired their full quota. The leaking of information obtained by a committee in the course of an investigation, or in executive session is a violation of the House rules. The most recent leak has been the appearance in the Jack Anderson column last week of information which had purportedly been given to the committee in sworn testimony at an executive session. According to Anderson, a mystery witness testified before the committee linking Oswald with the CIA. I have no way of knowing whether this witness is creditable or not, although similar stories have surfaced in the past and been proven false. The proper handling of this testimony would require a careful background investigation of the witness to determine his reliability, as well as further investigation to corroborate his story. Leaking the story to the press not only violates House rules, but interferes with further investigation by the committee staff. A number of other pieces of information provided to the committee staff in confidence, including the names of witnesses appearing in executive session, have found their way into the press.

I am also concerned about reports that the committee staff has requested transmitters and other devices for surreptitious surveillance. I do not feel that that is a proper function of such a committee.

One of the things that has caused second thoughts about support for this committee was the appearance on Capitol Hill of Mark Lane lobbying for the committee, its excessive appropriations request and its Staff Director Richard Sprague. On January 7, 1977, Lane appeared at a room in the Rayburn Building after a leaflet had been distributed in offices inviting members and staff to hear him speak and to view a copy of the Zapruder film. The leaflet also claimed that Lane had recently interviewed James Earl Ray and his brother, Jerry Ray.

As I was interested in this subject and wished to see the Zapruder film, I attended the meeting. Most of those present were young congressional staffers. We were treated to a lengthy monolog by Lane, who for the most part repeated the same stale clichés that he has used on the lecture circuit for the past 15 years. He did add some new charges, one of which was that the FBI had a special squad targeted against Martin Luther King. However, Lane in naming this

up, called it variously the Kill King Squad, the Get King Squad, and the Destroy King Squad. As Lane rambled on, he apparently was unaware that he kept changing the name of this supposed FBI unit. Purporting to be quoting from the report of the Senate Committee on Intelligence, Lane stated that the FBI had sent doctored tapes of King's hotel room activities to his wife. The committee in fact had never charged that any tapes were doctored, but stated that—

The FBI mailed Dr. King a tape recording made from microphones hidden in his hotel rooms which one agent testified was an attempt to destroy Dr. King's marriage.

While we cannot condone this act, it would have been much worse if in fact the evidence of King's activity had been fraudulent.

Lane's speech contained nothing about his alleged interviews with James Earl Ray or his brother. I waited for the question period to ask Lane about this. I did not want to needle him, but I did want to learn about the subject. However, after the showing of the film, the audience began to break up and there was no question period.

Lane took credit during his speech for recommending Richard Sprague to the committee as staff director. The recommendation of such an irresponsible does no credit to Sprague. Coupled with the problem of leaks from the committee staff, it raises the possibility that the fantasies of Mark Lane and his ilk will be leaked to the press as information gathered by the Committee on Assassinations.

During his speech, Lane admitted that he did not know who killed President Kennedy. Yet, years ago in a speech in Europe, Lane claimed that he knew the name of the murderer, but could not reveal it. He has never revealed it.

When Lane testified before the Warren Commission, he claimed to have a witness that would tie Jack Ruby to certain conservatives. When pressed by the Commission to identify his supposed witness, Lane refused. This witness has never appeared and Lane has dropped the story of Ruby's contact with conservatives.

Lane has a long record of far-left activities including service as an officer of the National Lawyers Guild, which has been cited by the House Committee on Un-American Activities as the "legal bulwark of the Communist Party." In 1948, Lane enrolled as a member of the American Labor Party. That organization had fallen under Communist control in 1944, and shortly before Lane joined, the last liberals had left the organization. Lane has made a reputation as being one of the most irresponsible of the assassination buffs.

I have not yet decided whether to support the reconstitution of the committee in the 95th Congress. I am sure that I will vote against a \$13 million budget. I still believe that we need a proper in-

vestigation of the political assassinations that have taken place. There are sources of information that should be properly developed. One area of investigation, overlooked by the Warren Commission, is the possible role of both domestic and foreign Communists in the assassination of President Kennedy.

The Senate Intelligence Committee revealed the fact that the CIA had plotted the assassination of Fidel Castro. It also revealed Castro's response. According to Book V of the final report of the Senate committee:

Late in the evening of September 7, Premier Castro held an impromptu, three-hour interview with Associated Press reporter Daniel Harter and in that interview warned against the United States "aiding terrorist plans to eliminate Cuban leaders." He stated, according to Harter, United States leaders would be in danger if they helped in any attempt to do away with leaders of Cuba. "We are prepared to fight them and answer in kind. United States leaders should think that if they are aiding terrorist plans to eliminate Cuban leaders, they themselves will not be safe." (Pg. 14)

On November 27, 1963, Fidel Castro made a speech about the assassination. A copy of that speech was distributed by the Cuban Mission to the United Nations. On page 6, Castro says:

Well now, on Saturday night, barely 24 hours after Kennedy's death, Mexican Federal Police agents arrested a Mexican woman employed at our Consulate, as well as her husband. What was the reason for the arrest? Why was she arrested? They arrested her to question her, and to question her in a brutal way, ill treating her, instigating supposed personal relations with President Kennedy's alleged killer, trying to obtain some information from her, through coercion.

Castro admitted that Oswald had visited the Cuban Consulate in Mexico City, but claimed that he was not given a visa and slammed the door when he left. The possible Cuban involvement in the assassination requires a thorough investigation.

Another area that requires investigation concerns the lies told by domestic Communists and Castroites about their relationships with Oswald. Immediately after the assassination Arnold Johnson, on behalf of the Communist Party USA, and V. T. Lee, on behalf of the Fair Play for Cuba Committee, denied that their organizations had been in contact with Lee Harvey Oswald. After the FBI had obtained Oswald's correspondence from his wife, both Johnson and Lee provided copies of this correspondence, from their files, to the Warren Commission. Both Johnson and Lee had been the individuals in their organizations that had exchanged correspondence with Oswald. When Johnson and Lee testified before the Warren Commission, they were not questioned about their earlier lies.

There are areas that the American people have a right to have fully investigated. I am not sure that the House Committee on Assassinations is prepared to do this investigation.

January 24, 1977

OPPOSES REESTABLISHMENT OF SELECT COMMITTEE ON ASSASSINATIONS

HON. DALE MILFORD

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 24, 1977

Mr. MILFORD. Mr. Speaker, I will be appearing before the Rules Committee tomorrow speaking in opposition to House Resolution 9 which will reestablish the Select Committee on Assassinations. At this time, I would like for my testimony before that committee to appear in the Extension of Remarks.

TESTIMONY OF HONORABLE DALE MILFORD BEFORE THE HOUSE COMMITTEE ON RULES, JANUARY 25, 1977

Mr. Chairman, I come before you today to speak in opposition to H. Res. 9 which would establish the House Select Committee on Assassinations for the purpose of reinvestigating the assassination of President Kennedy, Martin Luther King, Jr., and any others deemed appropriate by the Committee.

While I know that several conscientious, sincere and dedicated Members have sponsored this resolution including Mr. Gonzalez, my distinguished colleague from Texas, I must respectfully disagree with their effort.

As a Representative of the City of Dallas, I can assure you that I have an intense interest in this matter. That city bore the brunt of national and international criticism—much of it in a vicious and vindictive way—in the aftermath of the Kennedy assassination. Although this may have faded from the memories of many in this country, it is still fresh in the minds of those who live in Dallas.

Furthermore, I was personally and technically involved in this investigation from the time of the event through the findings of the Warren Commission. At the time of the assassination, I was a professional member of the news team at WFAA-TV in Dallas and I was intimately involved in press coverage of this event for several years. The vast majority of the news items which were reviewed by the Warren Commission came from our station.

I bring this to your attention to emphasize that I have a more than passing interest in this proposed Committee. Indeed, this is a matter which has directly affected my constituents in a very real and personal way. If there is anything to be gained by reopening this investigation, I am certain that the people of Dallas would greatly welcome it.

My purpose here is to examine realistically the proposition: "Should the House of Representatives appoint a committee to re-examine the Kennedy assassination?"

In responsibly facing this question, we must thoroughly study the difference between the Warren Commission and this Select Committee. Never before in our history has there been a more thorough investigation of a murder. Literally every investigative resource of the United States government and the State of Texas was concentrated on this case including the Dallas Police Department, the Dallas County Sheriff's Department, the Texas Department of Public Safety, the FBI, the Secret Service, and the CIA.

To insure that every possible scrap of evidence was properly evaluated, the Warren Commission was appointed to evaluate the evidence gathered by the massive law enforcement investigative efforts.

A careful study of the membership on the Warren Commission will show that the best legal, law enforcement and governmental brains of this nation had been assembled. A careful "political" balance insured that all

aspects of any possible political implication were considered, even as far as to retain a "defense counsel" for Lee Harvey Oswald.

There are a number of other important factors that must be recognized concerning the original investigations and the Warren Commission: (1) all witnesses were then alive, with fresh memories and good recall of important facts; (2) all physical evidence was present for careful examination; and (3) all possible theories and hypotheses could be evaluated against the then-present witnesses and physical evidence.

Mr. Chairman, I do not want to leave the impression that I have a closed mind on this subject or that I blindly accept the Warren Commission's findings as gospel—absolute and infallible. I am simply saying that before we begin a new investigation, we should have some hard evidence to indicate that the Warren Commission's conclusions were substantially in error. We must have convincing reasons to indicate that a new investigation could be more efficient and effective than the Warren Commission.

If there exists one single shred of legally acceptable physical evidence or one credible eye witness or one piece of definitive, scientific evidence to point to an alternate conclusion from that of the Warren Commission, I would be the first to sponsor a resolution to reopen the investigation.

A multitude of writers, investigators, theorists, college students and politicians have offered theories counter to the Warren Commission's findings. Many have authored books and periodicals on the subject. The news media has carried stories about these theories.

All of these theories have been carefully investigated by the FBI and other non-federal police agencies, as well as the press. All were either shown to be false, inapplicable, or discovered to be a hypothesis that could neither be proved or disproved.

Mr. Chairman, the point I am trying to make is that there is a great deal of difference between "evidence" and a "hypothesis or theory." "Evidence" requires that there must be a physical manifestation, a credible witness with sworn testimony or a scientifically provable assumption.

On the other hand, "hypothesis or theory" simply means an "idea" or "proposition" that no one else can disprove. The hypothesis or theory is not evidence.

I have carefully read the theories presented by those who want to reopen the Kennedy assassination investigation. None contain credible evidence that can be directly tied to the assassination or admitted in a court of law. As of this day, no one seems to have either hard evidence to discredit the findings of the Warren Commission or evidence to indicate that a new investigative body could produce a new finding.

I would like to make another point: the Select Committee on Assassinations in its report of December 31 indicates that one of the new issues which the Committee should investigate is whether or not the Central Intelligence Agency deliberately withheld critical information or acted improperly. In fact, this seems to be one of the major issues discussed by the Committee's Chief Counsel, Richard Sprague. In many past articles I have since read on the subject.

In this regard, I would like to point out that President Ford on January 4, 1975 established a Commission on CIA Activities Within the United States which was chaired by Vice President Rockefeller. This Commission looked into the matter of the Kennedy assassination and reached the conclusion that though many allegations had been made that the CIA played a role in this assassination, the Commission had to conclude that there was no evidence that the CIA had any improper involvement.

Again the matter of CIA involvement in the Kennedy assassination was investigated

by the Select Committee on Intelligence, of which I was a member, and reached the same conclusion. I am advised by my colleagues in the Senate that the Senate Select Committee to Study Governmental Operations with Respect to Intelligence Activities also investigated the possibility of critical evidence being withheld by the FBI and also reached the conclusion that there had been no improprieties by the FBI in that area.

The resolution itself declares that the express purpose of this Select Committee would be to assess whether or not statutes already on the books need to be changed or new legislation enacted to enhance the protection of the President.

I would like to bring the Committee's attention to the fact that the Warren Commission during its investigation required the Secret Service to submit a detailed report regarding its policy and procedures for Presidential protection. The Commission's review of these procedures led them to make a series of recommendations to deal with the deficiencies they found—six involving internal procedural changes and one which later became Public Law 89-141, making it a federal crime to attempt to assault, assassinate, or kidnap the President or other government official in line for the Presidency and establishing penalties for conviction of such acts.

Also as a result of the Kennedy assassination, President Johnson ordered a broad assessment of Presidential protection to be undertaken—known as Project Star. This project incorporated reports, studies and recommendations from numerous Federal agencies and private research institutions and took two years to prepare.

Mr. Chairman, the assassinations of President Kennedy and the murder of Dr. King produced painful trauma for the American people in general and the cities of Dallas and Memphis in particular. These crimes were investigated by both state and federal institutions with an intensity unequalled in our national history.

If there are reasons to discredit the investigations and findings of our state and federal institutions, these reasons must be clearly stated and they must be obvious to the American public. I contend that no substantial evidence has been offered to discredit the Warren Commission findings nor the findings of our judicial system.

I would further point out that the likelihood of a small Congressional Committee being able to come in 12 years later—with limited resources—and make significant findings, is indeed very slim.

In the alternative, if—in the wisdom of this Committee and this House—a Select Committee on Assassinations is established, then it must be provided with adequate resources to completely reinvestigate both the Kennedy assassination and the King murder. In other words, if we are to discredit the State police agencies, the FBI, the Secret Service, the CIA, our Federal court system and the Warren Commission, then the House must be prepared to produce investigative funds and facilities to replace the work done by all of them. To do less would be to perpetuate a hoax on the American people and to revive cruel pains of the past.

If we are to take this alternative plan, I can assure you that the \$13 million requested by the proposed Select Committee on Assassinations is woefully inadequate.

I plead with this Committee and the House to vote down H. Res. 9. No one has come forward with a single shred of credible evidence to show that a new investigation is needed. Existing standing committees already have the necessary jurisdiction to make any needed changes in our laws dealing with assassination.

The Kennedy and King murders were followed by another national trauma that tore our nation apart—Watergate. Our people

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lost faith in our government institutions. It is not credible and legally acceptable evidence to show that our State and Federal institutions have acted then spill it out—in spades—so the American public can understand, and provide the Select Committee with the necessary funds and resources to do a credible reinvestigation of the entire matter.

EXTENSION OF FEDERAL EMERGENCY LOANS TO NEW YORK CITY

HON. THEODORE S. WEISS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, January 24, 1977

Mr. WEISS. Mr. Speaker, the following letter was sent by me to Senator WILLIAM PROXMIRE expressing my grave concern regarding the report soon to be released by the Senate Banking Committee:

U.S. Senate, Washington, D.C., January 24, 1977.

Hon. WILLIAM PROXMIRE, U.S. Senate, Senate Office Building, Washington, D.C.

DEAR SENATOR PROXMIRE: I was taken aback today reading the comments in the New York Times signaling your opposition to extending for five years the \$2.3 billion of seasonal emergency Federal loans to the City of New York. I fully share your attitude with the banks of New York presuming to dictate to the City, State, and Federal governments, the nature of governmental assistance before playing their proper role in participating in the program. However, I cannot understand your attack upon the only real life line the City of New York has at this time, the extension of the Federal loan program.

Recommending denial of the loan program is a draconian measure totally unjustified considering the City's record. As you know, the City of New York has paid back all of the loans made by the Federal government; in a number of instances, ahead of time. These loans you know have been made at interest rates above prime. I would like to reiterate some of the hard facts of the budget cuts that have been instituted by the City to date, a total personnel cut of approximately 60,000 and budget reductions in excess of nearly \$200 million.

Without a loan extension, the 1977-78 budget would mandate as much of a cut in the coming fiscal year as was cut in the past two fiscal years. Considering the fragile state of the City's life at all levels, be it the Fire Department, health services, education, or police protection, all of which are critical to the survival of the City and its residents, it is unthinkable that the City can cut \$700 million in the next year and still survive as a viable entity.

Given this background, while many of us have come to the unhappy conclusion that the financial institutions care little whether the City lives or dies, we have come to expect that someone such as yourself would offer a greater understanding of where we are and what we have accomplished to date.

I urgently suggest that your remarks as quoted in today's Times for close any further deliberations by you, the Senate, and the House, in essence signaling the end of whatever hope New York City has for survival. I respectfully request that if that is not your intention, that you correct the impression which has been created.

Sincerely,

Ted Weiss, Member of Congress.

TAX PROBLEMS OF THE DISABLED FEDERAL RETIREES

HON. NEWTON I. STEERS, JR.

IN THE HOUSE OF REPRESENTATIVES

Monday, January 24, 1977

Mr. STEERS. Mr. Speaker, I am introducing, along with Mr. JACOBS of Indiana, a bill that I hope will not have to be passed. This legislation would postpone the date on which disabled Federal retirees will have to pay tax increases mandated by the Tax Reform Act of 1976. The reason that I hope this measure will not have to be passed is that I would rather see this tax assessment eliminated altogether.

Prior to the 1976 law, all disabled Federal retirees could claim a \$5,200 exclusion on their taxable income. The Tax Reform Act seriously restricted the availability of this tax exclusion. Now only those disabled retirees who are both "permanently and totally" disabled, and whose joint income is under \$15,000 can claim the full tax exclusion.

While I realize that some disabled retirees might have abused this provision in the past, the current law imposes hardships on many persons in my district. In areas where the cost of living is as high as it is in Montgomery County, a joint income of \$15,000 does not make a family affluent; especially if there are large medical bills to pay. Many of my constituents needed this helping hand. They earned it by many years of public service. Not only is this effective tax increase a hardship, but it is a retroactive one at that. My constituents must come up with a year's back taxes, and with a penalty for not having had sufficient withholding for 1976.

This leaves my constituents in the Kafkaesque situation of having been penalized for not making provision to pay a tax that was not yet in effect at the time they would have had to make such provision. If this sounds confusing to the Members of this House, imagine how it sounds to a disabled retiree who has to come up with the money.

Several bills have been introduced to try and remedy this situation: A bill by Mr. FISHER to "grandfather" the tax exclusion, which I support; a bill by Mr. ROBERT W. DAWSON, Jr. of Virginia, to remove the retroactive portions of the law, which I will support in the event that Mr. FISHER's bill does not pass; and the bill that I am currently introducing, with Mr. JACOBS, to postpone payment of the extra taxes until 1979. I see this bill as a last resort. I will work for its passage only if the others are found unacceptable by the Ways and Means Committee. I hope this will not be necessary, but I do want to try to make sure that my constituents get some relief from this change in the tax laws. I will also be working with the IRS to attempt to change the absurd situation under which my constituents are penalized for the Government's error.

I certainly hope that the House will pass one of the relief measures, preferably the bill to "grandfather" the tax exclusion so that those who have made their retirement plans based on the old

will not have the rules of the game changed now.

ENERGY: PROBLEM, POLICY, AND PROGNOSIS

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 24, 1977

Mr. HAMILTON. Mr. Speaker, I prepared the following keynote address for delivery at Energy Fair '77, a symposium held at Indiana University Southeast in New Albany, Ind. The address, entitled "Energy: Problem, Policy, and Prognosis," is inserted in the Record for the benefit and use of my colleagues:

ENERGY: PROBLEM, POLICY AND PROGNOSIS

1. THE ENERGY PROBLEM

Although many of us refuse to believe it, there is a serious and continuing energy problem in this country. The problem has assumed proportions so alarming that it clearly deserves to be called a "crisis."

It is due to the rising consumption of energy and the increasing difficulty in acquiring energy, including its high cost.

2. Rising consumption of energy

The rising consumption of energy is due to two principal factors:

1. Economic Expansion

Ever since its birth 200 years ago, the United States has been a growing nation. Our population has increased from a comparative handful of colonists and indigenous peoples in 1776 to over 215 million inhabitants in 1976, and it is still expanding. Our economy has kept pace, and it is supplying us with one of the highest standards of living in the world. The replacement of manual labor with the work of machines has been sought both to increase productivity and to reduce the number of unpleasant, unexciting jobs. However, with a high standard of living for so many people, a standard squarely based on the "materialism" of industry and agriculture, it can only be sustained with ever greater demands for energy.

2. Waste of Energy

Growth and high standard of living alone cannot account for the high rate of energy consumption in the United States, where a small portion of the world's people use a large share of the world's energy.

Regrettably, American waste this precious resource.

We use more energy per capita than any other nation in the world. Among the developed nations our record is poor for example, we use twice as much energy per capita as do the West Germans, and a full three times as much per capita as the Japanese, in spite of the fact that their industrial development and standard of living are comparable to our own.

Among the developing nations our record is dismal: last year we wasted as much energy as the poorest 1/3 of the world's population consumed.

There is unfortunately no sign that we are changing our profligate habits. Although U.S. energy consumption dropped 22 percent in 1975 and another 23 percent in 1976, decreases most likely due to the economic downturn, we are currently using more energy than we have used at any other time in our history.

Electric power consumption is up 6 percent over this time last year, completely wiping out any recent on-industry savings.

highway funds are combined by Appalachian States with ARC highway funds.

Under the proposed amendment to the Appalachian Regional Development Act, Federal-aid highway funds to take advantage of the higher Federal ceiling would be optional with the Governors of each of the region's 13 States. Under the option, a State's share of a highway project's cost could range from the current 30-percent level to as low as 10 percent.

The maximum amount of Federal-aid—title 23—highway trust funds that could be used would be 45 percent of the project's total cost while the maximum amount of ARC funds would be 60 percent. Any combination of these two Federal funds would be permitted as long as they don't exceed each's percent of the project's total cost. Federal-aid funds are allocated to each State to be invested at the discretion of the States. The Highway Trust Fund includes revenues from user taxes on gasoline and automotive parts and accessories.

This bill provides—at a time when State matching funds are scarce—a way to stretch State funds by lowering the State matching burden to 10 percent. This increases the ability to continue highway construction.

The new 90-10 percent funding option is offered to stimulate construction of Appalachian Highway projects by providing each State more flexibility in its funding options and by lessening the States' matching burden.

Mr. Speaker, completion of the Appalachian Highway network is essential to the continued growth of the entire region. If this Congress is committed to the broadening of job opportunities, the expansion of industry and business and the expeditious movement of goods and services to and from the marketplace, then this bill should, indeed, be welcomed with enthusiasm. This legislation offers us a constructive, realistic opportunity to move forth with completion of the ARC Highway system and, consequently, open up areas of economic expansion and growth which have been dormant as a result of poor Appalachian access roads.

I encourage my colleagues in the Congress to give this legislation the priority attention it needs and deserves.

CONSUMERS GET NEW PROTECTION AGAINST SELLER/LENDER KICKBACKS

The SPEAKER pro tempore Under a previous order of the House, the gentleman from Illinois (Mr. ANNUNZIO) is recognized for 5 minutes.

Mr. ANNUNZIO. Mr. Speaker, consumers who find it necessary to finance more expensive household items or cars in 1977 will be protected from high dealer/lender kickbacks if a new Federal Reserve Board proposal becomes effective.

Financial lenders often give sellers back a percentage of the financing costs for steering business their way. In the past, that sweetheart relationship was rarely disclosed to the customer and, therefore, he or she never knew if a better deal could have been found by going directly to the bank or by checking with

other dealers first. Although car dealers have been criticized most for this practice, most all areas of consumer financing are potential areas of abuse.

Last August, the Federal Reserve Board issued a proposed interpretation of the Truth in Lending Act—regulation Z—which would have allowed these kickback arrangements without any notification to the consumer. When I saw this proposal I immediately expressed my concern to the Federal Reserve Board. Its new stand on the disclosure of kickbacks—just published—is a total departure from the earlier position and I am delighted to see that the Board now agrees with me that consumers would benefit from knowing about these arrangements between bank and dealer, or between seller and finance company.

The Fed is in charge of enacting and enforcing the Truth in Lending Act which was passed by Congress so that consumers would have all of the information necessary to comparatively shop among different financing options. As I said in September, the Board's earlier position was actually permitting a cover-up to the consumer of a potentially abusive situation. Sometimes in these kickback schemes the dealer receives only a portion of the interest rate charged the consumer. But in far too many cases, the bank sets an interest rate and tells the dealer that he can keep anything over that amount.

The enactment of the new Fed interpretation will also make it easier to enforce the Federal Trade Commission's new rule of preservation of consumers' claims and defenses—the so-called, Holder in Due Course Rule. This ruling makes financial institutions responsible for goods they are financing should those goods prove inferior. Unless it can be proven that the dealer and the lender had a business arrangement it would be virtually impossible to provide consumers with the protection against shoddy products bought on time that the FTC felt was necessary when it enacted this rule.

In my opinion, under the table kickbacks have cost consumers millions in the past few years without their ever knowing about it and should be totally outlawed. But if consumers continue to pay the dealers for their service to loan institutions for bringing new customers in, then at least those customers ought to know about it. Hopefully the new Federal Reserve Board interpretation of the Truth in Lending Act become effective, as I have every reason to believe it will, consumers will have a chance to know.

CONDUCT OF INVESTIGATION BY SELECT COMMITTEE ON ASSASSINATIONS

The SPEAKER pro tempore Under a previous order of the House, the gentleman from Texas (Mr. GONZALEZ) is recognized for 15 minutes.

Mr. GONZALEZ. Mr. Speaker, there appeared in the CONGRESSIONAL RECORD for January 6, 1977, a copy of a letter from my distinguished colleague Chairman Don Edwards to former Chairman Tom Downing of the Select Committee

on Assassinations. I had responded to Chairman Edwards' letter on December 28, 1976. Unfortunately only Chairman Edwards' letter was presented, but my response which was also available, was not.

Fundamental fairness to the Members of this House dictates that all correspondence between Chairman Edwards and myself be presented so each Member may properly evaluate the issues raised in the complete context. The letters follow:

HOUSE OF REPRESENTATIVES

Washington, D.C., December 28, 1976

Hon. Don Edwards,

Chairman, Subcommittee on Civil and Constitutional Rights, Committee on the Judiciary, Rayburn House Office Building Washington, D.C.

Dear Don: Thank you for sending me a copy of your letter to Chairman Downing dated December 16, 1976, with respect to the conduct of the investigation by the Select Committee on Assassinations.

I don't know if Chairman Downing has replied. I hope he has. I certainly agree with you that the Select Committee in its investigation must proceed under the highest ethical and professional standards. Indeed, we have never set lower standards, nor do we intend to. One of the major characteristics of this project is the preservation of the integrity of the Congress. If we should do anything in an unprofessional manner, our credibility as well as that of this House would be diminished.

I have not had an opportunity to see the December 18, 1976, Los Angeles Times article to which you referred. However, you are, of course, aware that matters stated in the press sometimes are taken out of context, and sometimes are inaccurately phrased. Rather than indulge in fruitless discussion over the content of what may have been reported in the media, it is preferable just to discuss the matters raised by you in your letter.

The transcript to which you refer is not for the purpose of secretly recording interviews of witnesses. Rather they are to be used by investigators during surveillance activity when safety considerations dictate that investigators transmit their own comments. I am sure you are aware that in some situations it is imperative to have this type of equipment for the protection of investigators. In fact, we are seeking only two (2) such devices.

Mr. Sprague clearly stated that no person would be taped unless he both knew and consented to having the conversation or interview taped. Indeed, the transcripts and tapes of interviews of witnesses who already have been interviewed show conclusively that in each case the individual knew the conversation was being taped and consented to the taping. The record of one of our subcommittee executive sessions will further show that the witness knew that the interview was being taped, that he consented to the taping and that he further knew that the tape might be played before the Select Committee. I will be happy to make that or any transcript or tape available for your review should you so desire.

Second as to the polygraph, it has been stated at our public hearing as well as in our press conferences, and in executive session, that our use of the polygraph would, of course, only be with the consent of the witness. Our position has remained the same from the beginning.

We do not intend to use the polygraph or stress evaluations in any way as evidence to be produced at any hearing. The use of these devices is identical to that employed by other investigative agencies, i.e., to aid the investigation, but not to establish conclusions. It also should be pointed out that from the commencement of this

January 10, 1977

investigation we have rejected the concept of using the polygraph or stress evaluators for employment purposes in any fashion.

It should be noted that we have never attempted to hide the fact of our use of the polygraph and stress evaluators. As with most of our decisions they are made openly and are always subject to review by the House. Thus you will find both items, and all other hardware requests, clearly specified in our proposal budget.

Third, with respect to your concern for the protection of the civil and constitutional rights of witnesses, the Committee is most aware of the problem. This consideration was an important factor which contributed to our decision to hold executive sessions. We have determined to utilize public hearings only where the evidence to be elicited has been clearly established and verified.

As a matter of fact, the decision to hold public hearings was in accord with the rules of the House and on the occasions when we didn't, it was only after a rollcall. One such resulted in a 6-6 tie. In this manner, we can avoid the potential danger of exposing an individual or governmental agency to unwarranted ridicule or the airing of unproved allegations. We feel strongly that the vehicle of public hearings to prove or disprove allegations when the appropriate evidence has been accumulated and corroborated is very important to this process. Developing our findings with full knowledge at each stage of our proceedings will, we believe, foster the support of the American public for our ultimate conclusions. We feel that holding public hearings distinguishes our process from that of the Warren Commission which as you know, held their proceedings in closed sessions until the final report was filed. In our judgment, that secrecy reduced the effectiveness of the Commission work and subjected its conclusions to skepticism and speculation which would have been avoided by public disclosure.

Incidentally, the situations where Mr. Sprague has spoken publicly have been at the public sessions and at various press conferences, sometimes under the express instruction of Chairman Downing; unfortunately, the Committee, under Mr. Downing did not establish guidelines. But, Don, I cannot say that Mr. Sprague has been anything but prudent and restrained, even in the absence of this needed Committee guidance. Let me assure you of the fact that if I should become Chairman, this will be provided in a manner similar to the handling of your Committee during impeachment hearings.

Again, I appreciate your concern and assure you that the Select Committee will conduct this investigation in accordance with the highest ethical and professional standards. I hope you will always share your concern with me and the members of the Committee.

With kindest personal regards, I am
Sincerely,

HENRY B. GONZALEZ
Member of Congress

COMMITTEE ON THE JUDICIARY,
HOUSE OF REPRESENTATIVES,
Washington, D.C. 20540 Congress,
January 6, 1977

HON HENRY B. GONZALEZ,
U.S. House of Representatives, Rayburn
House Office Building, Washington, D.C.

DEAR HENRY: Thank you for your letter of December 28, 1976. I appreciate your timely comments on my letter to Chairman Downing regarding the investigative methods of the Select Committee on Assassinations. Your letter certainly showed that, should you become Chairman, you intend to approach your responsibility in a serious and professional manner.

But while I found your letter partly reassuring, it raised some additional questions in my mind that I believe need to be answered. It is important to all of us to have a clear understanding of the Select Committee's policies and procedures before any informed decisions can be made on the wisdom of its continued existence or on the amount of its budget requests.

As a preliminary matter, I am enclosing a copy of the Los Angeles Times article I referred to in my letter to Chairman Downing. It will enable you to understand the specific context in which I wrote that initial letter. I am certainly aware that media accounts of various events are not always entirely accurate, or are often taken out of context. But in this case I am disturbed by the fact that the remarks that prompted my letter to Chairman Downing were direct quotations from Mr. Sprague.

In your letter you discuss the use of the small transmitters referred to in the article. I am very relieved to hear that the transmitters will not be used to secretly record interviews of witnesses. However, your statement that they will be used during "surveillance activity," leaves me no less concerned than Mr. Sprague's earlier statements as reported in the Times. I am absolutely unable to comprehend a situation which would require "surveillance activity" of any kind. Who and under what authority will the Select Committee's investigators be surveilling? If you could describe more fully what you have in mind and indicate whether American citizens would be the subject of such surveillance and if so, under what circumstances, I would appreciate that information.

You also state that the transmitters are "imperative . . . for the protection of investigators" in some situations, and that I must certainly be aware of this necessity. I assure you I am not aware of any such need. What kind of activity is contemplated that would require such protection? From whom? And more importantly, by whom? The scenes that come to mind when I ask myself such questions are, as you can imagine, extremely disturbing. A Congressional investigation is not, and should never be, a game of cops and robbers.

I am relieved to know that polygraphs will be used only with the consent of the witness. Does the Committee also intend to obtain such consent for the use of the stress evaluator as well? Moreover, you state that the Select Committee's use of the polygraph and the stress evaluator would be identical to that of other investigative agencies. It is my understanding, however, that the FBI does not use stress evaluators at all, because the Bureau is not yet persuaded of the reliability even as an investigative device.

House Resolution 9, introduced on January 4, 1977, differs from the Resolution last year creating the Select Committee on Assassinations. The new resolution now contains a stated legislative purpose. I cannot express too vigorously my hope that public hearings will be directed strictly at the legislative purpose. Periodic hearings while you are gathering information and evidence flies in the face of every constitutional safeguard attendant to criminal investigations. Spilling out bits and pieces of information before the investigation is complete will obviously present a distorted picture and cannot avoid, in my view, causing serious harm to potential witnesses.

I do not believe that the American people or the Congress wish to indulge in a temporary suspension of the Bill of Rights, however, laudable the ultimate purpose may be. I believe the House of Representatives commissioned a thorough, serious study of the problem. The argument that one of the purposes of this investigation will or should cause the public to hold Congress in higher esteem is only valid if the task is completed

in a dedicated manner which respects all traditional safeguards.

Frankly, I am not persuaded at this point that either the Committee or the staff has given adequate thought to its basic role, its own procedures, and the myriad problems which confront it in the proper discharge of the authorizing resolution. I would like to be able to fully support the activities of the Select Committee. I cannot, however, approve any tactics or techniques which I have personally fought against when employed by the Executive Branch or by other Congressional committees.

Since we all will be called upon to support your work I believe these questions must be dealt with in a most precise manner as soon as possible.

My staff and I will be happy to meet with you, your members and your staff at any time to discuss this matter of common concern.

With kind personal regards,

Sincerely,

DON EDWARDS

Chairman, Subcommittee on Civil and Constitutional Rights.

HOUSE OF REPRESENTATIVES,
Washington, D.C. January 7, 1977.
HON DON EDWARDS,
Chairman, Subcommittee on Civil and Constitutional Rights, Committee on the Judiciary, Rayburn House Office Building, Washington, D.C.

DEAR DON: Thank you for your letter of January 8, 1977, in response to my letter of December 28, 1976, with respect to the conduct of the investigations into the assassinations of President John F. Kennedy and Dr. Martin Luther King, Jr.

At the very beginning of that letter I stated: "I certainly agree with you that the Select Committee in its investigation must proceed under the highest ethical and professional standards. Indeed, we have never set lower standards, nor do we intend to. One of the major characteristics of this project is the preservation of the integrity of the Congress. If we should do anything in an unprofessional manner, our credibility as well as that of this House would be diminished."

The statement relating to the use of transmitters and polygraphs must be read in the context of the foregoing assurance. Similarly, it must also be read in the context of my statement on Page 2, paragraph 4 that all such requests are subject to review by the House.

Somewhere, Don, in my haste to respond to the letter you wrote to Former Chairman Downing, I apparently did not make clear that each investigative technique must be approved by the full committee after careful consideration, debate and deliberation.

Each of us has taken an oath to uphold and preserve the Constitution. We intend to do no less in the course of this investigation and most emphatically not to "indulge in a temporary suspension of the Bill of Rights."

I welcome the opportunity to discuss this with you and your staff at the earliest possible time to avoid further misunderstanding as to our intent and purpose.

With kindest personal regards, I am
Sincerely,

HENRY B. GONZALEZ
Member of Congress

PS I am so grateful to you to have had an opportunity to speak to you on the telephone today. I had dictated the above before I spoke to you and am most grateful to have a chance to meet with you Monday as you consented to and will see you then.

Second, Mr. Speaker, the gentleman from Maryland (Mr. BATMAN) introduced into the record of this House a

basic principles which we hope will allu-
late the negotiations. We have been
greatly impressed and encouraged by the
extent to which there is a consensus in
these consultations on both the princi-
ples and the urgent need to reopen sub-
stantive intercommunal negotiations.

I remain convinced, however, that
neither the United States nor any other
outside country or group of countries
should seek to impose a settlement on
Cyprus. The principles we are develop-
ing should serve only as a basis for nego-
tiation. It is the Cypriot communities
themselves who must ultimately decide
their relationship and final territorial
arrangements.

In addition it is clear that a final solu-
tion must also have the support of the
Greek and Turkish governments. It is
my firm conviction that we must seek to
maintain the trust and friendship of both
these NATO allies. Thus my Administra-
tion has sought to strengthen through
negotiation our security ties with both
Greece and Turkey. We have consistently
sought to follow a balanced course in
strengthening our relations throughout
the area. We therefore welcomed the
steps taken by the Congress to relax the
arms embargo on Turkey so that Turkey
can better meet its NATO obligations.
We have demonstrated through tangible
assistance our support for Greece. We
have worked actively, both directly and
through the United Nations Security
Council, to defuse recent tensions be-
tween Greece and Turkey over the
Aegean. These two countries have now
agreed to a negotiating process called
for in the U.S. sponsored Security Coun-
cil Resolution which I hope will lead to
a settlement of their dispute.

It is essential to the success of an
equitable and lasting Cyprus settlement
that the United States maintain a bal-
anced relationship among all concerned
parties. It would be a mistake to place
undue pressure on any one party for the
sake of what appears to be a quick set-
tlement. I believe the Congress would
agree that such a path would neither
promote lasting progress on Cyprus nor
serve the cause of stability in the Medi-
terranean.

I am not pessimistic about the future
of the Cyprus negotiations. I continue to
believe that a way can and will be found
to achieve a just and equitable settle-
ment which will enable all of the people
of Cyprus to shape a harmonious and
prosperous future.

GERALD R. FORD

THE WHITE HOUSE, January 10, 1977

REPORT OF SECRETARY OF AGRICULTURE IN ACCORDANCE WITH OREGON DUNES NATIONAL RECREATION ACT OF 1972—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid be-
fore the House the following message
from the President of the United States:
which was read and, together with the
accompanying papers, without objection,
referred to the Committee on Interior
and Insular Affairs.

To the Congress of the United States:

I transmit herewith the report of the
Secretary of Agriculture which was pre-
pared in accordance with the Oregon
Dunes National Recreation Act of 1972,
P.L. 92-280.

The Secretary of Agriculture has con-
cluded that the Oregon Dunes National
Recreation Area is not suitable for in-
clusion in the Wilderness System and I
concur with his recommendation.

GERALD R. FORD

THE WHITE HOUSE, January 10, 1977.

READ BEFORE YOU VOTE

The SPEAKER pro tempore (Mr.
WRIGHT). Under a previous order of the
House, the gentleman from Maryland
(Mr. BAUMAN) is recognized for 15 min-
utes.

Mr. BAUMAN. Mr. Speaker, tomorrow
the House will vote on House Resolution
9 which would extend the life and powers
of the Select Committee on Assassina-
tions for another 2 years. While the reso-
lution does not provide funds for the
committee, it does, if passed, commit the
House to an investigation far greater in
scope or jurisdiction than was ever con-
templated last September when this
group was originally created.

Last Thursday I placed in the Record
materials pertaining to the conduct of
the general counsel of this select com-
mittee, Mr. Sprague, which every Mem-
ber should read before casting their vote.
But I also want to call to the attention
of the House that the resolution on which
we will be asked to vote tomorrow is very
different than that which the House ap-
proved last September. For those who
will take the time to read the actual lan-
guage of the resolution you will find that
it greatly expands the jurisdiction of this
select committee far beyond an investi-
gation of the assassinations of John F.
Kennedy and Martin Luther King. In
my judgment it calls for an open-ended
inquiry into the operations of the CIA
and the FBI, as well as possibly usurping
the jurisdiction of the Committee on the
Judiciary over civil rights legislation.

Mr. Speaker, the reason that I have
come to this conclusion lies in the lan-
guage of the resolution itself. Here is
what House Resolution 1549, which was
passed on September 17, 1976, said as to
committee jurisdiction:

The select committee is authorized and di-
rected to conduct a full and complete in-
vestigation and study of the circumstances
surrounding the death of John F. Kennedy
and the death of Martin Luther King Junior,
and of any others the select committee shall
determine.

Compare this with the new, and much
broader jurisdiction being granted in
House Resolution 9:

The select committee or a subcommittee
thereof is authorized and directed to conduct
a full and complete investigation and study
of the circumstances surrounding the assas-
sination, murder, homicide, and death of
President John F. Kennedy and the assas-
sination, murder, homicide, and death of Mar-
tin Luther King Junior, and of any other
persons the select committee shall determine
in order to determine whether the exist-
ing laws of the United States, including but
not limited to laws relating to the safety

protection of the President of the United
States, assassinations of the President of the
United States, deprivation of civil rights, and
conspiracies related thereto, as well as the
investigatory jurisdiction and capability of
agencies and departments of the United
States Government, are adequate, either in
their provisions or in the manner of their
enforcement; and shall make recommenda-
tions to the House, if the select committee
deems it appropriate, for the amendment of
existing legislation or the enactment of new
legislation.

Mr. Speaker, it is easy to see that this
is no simple extension of existing powers
of a select committee of the House. Tak-
en together with the grandiose plans
for a massive staff of more than 170 peo-
ple and spending of more than \$13 mil-
lion over 2 years, this jurisdiction could
easily be turned into the biggest circus
Capitol Hill has seen in years. It is little
wonder that Walter Pincus, writing in
Sunday's Washington Post pointed to
this select committee in the following
highly critical manner:

Perhaps the worst example of congress-
ional inquiry run amuck is the present
House investigation into the Kennedy and
King assassinations. Pushed by publicity and
pressure from a narrow but vocal constitu-
ency, what amounts to a multi-million-
dollar criminal investigation is going to be
conducted in the name of the House.

Mr. Speaker, I urge all Members to
vote against House Resolution 9 under
suspension tomorrow. At the very least
we should be able to consider this matter
with full and free debate and an oppor-
tunity to amend and place restrictions
on this costly operation. By rejecting
this resolution under suspension we will
be able to consider this matter fully and
thoughtfully instead of squandering the
taxpayers' money on what may well turn
into a witch hunt which creates more
questions than it solves.

MILLER OFFERS ARC HIGHWAY FUNDING FORMULA CHANGE

The SPEAKER pro tempore Under
a previous order of the House, the gen-
tleman from Ohio (Mr. MILLER) is re-
cognized for 5 minutes.

Mr. MILLER of Ohio. Mr. Speaker,
with the convening of the 95th Congress,
I am again introducing my legislation
to permit financing the construction of
the Important Appalachian Highway
System with 90 percent Federal, and 10
percent State, matching funds.

We first introduced this bill last year
and we were later joined by several
House colleagues as cosponsors of the
legislation. Equally important to con-
gressional support for this formula alter-
ation is support from the States in the
impacted Appalachian region.

The current Federal share is limited
to 70 percent and covers only ARC fund-
allocated to Appalachian States. Our bill
represents a major step toward making
funds for completion of the 3,280-mile
Appalachian Highway System competi-
tive with Interstate Highway projects.

The bill would allow the total Federal
share of funds for Appalachian Highway
projects to rise to a maximum of 90 per-
cent when an appropriate amount of
regular non-Interstate—Federal—

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1973, Mr. Haley relinquished his seat on the Veterans' Affairs Committee. His new responsibilities would leave him but little time for any other committee assignment and, in his characteristic unselfish way, he wanted to provide an opportunity for another Member with fewer responsibilities to devote more time to the needs of the Nation's Veterans.

During his service on the Hospitals Subcommittee, Mr. Haley helped bring about the construction of three new Florida Veterans' Administration hospitals—Gainesville, Miami, and Tampa—and the modernization of the VA hospital facilities at Lake City and Bay Pines. During this same period, Florida's VA hospital beds were increased from 1,353 to 3,501. Congressman Haley's work nationwide was equally important. He helped to build needed hospitals and to improve veteran facilities in other areas, and he was instrumental in preventing the closing of VA hospitals and regional offices in areas where he considered their contributions essential.

In short, Mr. Speaker, Jim Haley fully deserves this recognition. His many years of hard work and concentrated efforts on behalf of all Veterans has earned their respect and admiration. I am very hopeful that the Veterans' Affairs Committee will quickly favorably report this proposal to bestow the name of a very distinguished Floridian on a needed veterans' hospital as proper recognition for his long years of service to America's veterans and their families. I am confident the bill will again receive the approval of the House and hopefully the Senate will concur. I know that all of you join me in wanting Jim Haley to be able to smell the flowers he so richly deserves.

Mr. FREY. Mr. Speaker, due to the preadjournment rush, the Senate was unable to act on a bill to name the Veterans' Administration hospital in Tampa, Fla., the "James A. Haley Veterans Administration Hospital." Congressman ANDY IRLAND who now represents Jim Haley's district, is today introducing this measure to honor a gentleman who was instrumental in modernizing two veteran facilities in Florida and helped to bring about the construction of three VA hospitals in Florida.

A hard worker for all veterans, this measure is a most fitting tribute to former Congressman James A. Haley. I hope all my colleagues will join me in supporting its passage.

GENERAL LEAVE

Mr. IRELAND. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the subject of designating the veterans hospital in Tampa, Fla., the James A. Haley Veterans Hospital.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

NATIONAL PARK SYSTEM WILDERNESS

(Mr. SEBELIUS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SEBELIUS. Mr. Speaker, I am today introducing 27 individual bills, each of which proposes the designation of wilderness at a particular unit of the national park system. These bills represent the recommendations which have come from the studies conducted by the National Park Service as required by the Wilderness Act of 1964. All of these bills and 13 others were introduced by me in the 94th Congress. The 13 others were enacted into law in modified form by the 94th Congress. Hence, I am reintroducing these remaining 27 bills with the hope and expectation that many, if not most, of these can be acted on by the 95th Congress.

I recognize that each of these bills involves matters of consideration of other Members in whose congressional district these wilderness proposals are located. I introduce these bills without knowledge of the position of the affected Members, and I take no advocacy position on any of these bills by virtue of my introduction of them. However, as the ranking minority member of the Interior Committee's Subcommittee on National Parks and Recreation during the last Congress, I was quite interested and involved in the consideration of wilderness legislation. I introduce these bills again today for the principal purpose of bringing this backlog of wilderness legislation back before the committee for its consideration. I would hope and urge that prompt action might be taken on these bills as a priority item this year.

FULL OPPORTUNITY FOR DEBATE NEEDED: ON REESTABLISHING COMMITTEE ON ASSASSINATIONS

(Mr. BAUMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BAUMAN. Mr. Speaker, it is my information that the majority leadership has decided to pull from today's Suspension Calendar the resolution which would recreate the Select Committee on Assassinations.

I am further informed that this resolution will be referred to the Committee on Rules which will be reconstituted. I hope that full hearings will be held before that body prior to that resolution being brought to the floor. Further, when the resolution does come to the floor, I hope that all Members are given a chance to not only debate the merits of this committee and its continuation, but the opportunity to offer amendments so that the committee is circumscribed in the scope of its investigations and also the activities of its staff.

Those of us who supported the creation of the committee originally are not nec-

essarily opposed to the idea of such an investigation but we definitely want the integrity of the House of Representatives to be upheld. I believe that the withdrawal of this resolution today is one small step in that direction.

ELECTION OF DEMOCRATIC MEMBERS OF COMMITTEE ON THE BUDGET

Mr. FOLEY. Mr. Speaker, as Chairman of the Democratic Caucus, and by direction of the Democratic Caucus, I offer a privileged resolution, House Resolution 95, and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. Res. 95
Resolved, That the following-named Members be, and they are hereby, elected to the Committee on the Budget: Robert N. Clavin (chairman), Connecticut; Jim Wright, Texas; Thomas L. Ashley, Ohio; Robert L. Leggett, California; Patrick J. Mitchell, Maryland; Omar Burleson, Texas; Louis Stokes, Ohio; Elizabeth Holtzman, New York; Butler Derrick, South Carolina; Otha Q. Pike, New York; Donald M. Fraser, Minnesota; David R. Obey, Wisconsin; William Lehman, Florida; Paul Simon, Illinois; Norman Y. Mineta, California; Joseph L. Fisher, Virginia; Jim Mattox, Texas.

The resolution was agreed to.
A motion to reconsider was laid on the table.

ELECTION OF REPUBLICAN MEMBERS OF COMMITTEE ON THE BUDGET

Mr. DEVINE. Mr. Speaker, I offer a privileged resolution, House Resolution 96, and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. Res. 96
Resolved, That the following-named Members be, and are hereby elected members of the House Committee on the Budget: Delbert L. Latta, James T. Broyhill, Barber B. Conable, Jr., Marjorie B. Holt, John E. Rostenkowski, John J. Duncan, Clab W. Burgener, and Ralph S. Regula.

The resolution was agreed to.
A motion to reconsider was laid on the table.

SECOND REPORT OF UNITED STATES SENAI SUPPORT MISSION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 95-41)

The SPEAKER pro tempore aid before the House the following message from the President of the United States, which was read and, together with accompanying papers, referred to the Committee on International Relations and ordered to be printed with illustrations:

To the Congress of the United States:
I am pleased to transmit herewith the Second Report of the United States Senai

Support Mission. This report, following that which I forwarded on April 30, 1976, describes the manner in which the Mission is carrying out its responsibility for operating the early warning system in the Sinai, as specified in the Basic Agreement between Egypt and Israel and its Annex signed on September 4, 1975. This report is provided to the Congress in conformity with Section 4 of Public Law 94-110 of October 13, 1975.

The Report includes a summary of the operations of the early warning system since its inauguration on February 22, 1976, and a description of the Mission's permanent base camp facilities which were officially dedicated on July 4.

With the completion of major construction activity, it has been possible to reduce somewhat the number of Americans working in the Sinai in accordance with the wishes of the Congress. The United States Sinai Support Mission will continue to analyze carefully all aspects of the Sinai operation to identify ways whereby the numbers might be further reduced.

The proposal to establish an American-managed early warning system in the Sinai was made at the request of the Governments of Egypt and Israel. With the concurrence of the Congress, we accepted this undertaking because the United States strongly seeks the achievement of peace and stability in the Middle East.

The United States Sinai Support Mission plays an important role in support of the Basic Agreement. Both sides have recently reaffirmed their confidence in the manner in which the United States has been carrying out its responsibilities in the Sinai, and as long as it continues to enjoy this support, the United States role will represent a meaningful contribution to the prospects for attaining a just and lasting peace in the Middle East.

GERALD R. FORD.

THE WHITE HOUSE, January 11, 1977.

REPORT OF OFFICE OF ALIEN PROPERTY FOR FISCAL YEAR ENDED JUNE 30, 1975—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States, which was read and, together with the accompanying papers, referred to the Committee on International Relations:

To the Congress of the United States:

I herewith transmit the annual report of the Office of Alien Property, Department of Justice, for the fiscal year ended June 30, 1975, in accordance with section 6 of the Trading with the Enemy Act.

GERALD R. FORD.

THE WHITE HOUSE, January 11, 1977.

CALL OF THE HOUSE

Mr. ASHBROOK. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 6(e) of rule XV, the Chair can-

not entertain a point of order of no quorum at this time.

Under that rule the Chair does, however, recognize the gentleman from California (Mr. DANIELSON) to move a call of the House at this time.

Mr. DANIELSON. Mr. Speaker, I move a call of the House.

The SPEAKER pro tempore. Without objection, a call of the House is ordered. There was no objection.

The call was taken by electronic device, and the following Members failed to respond:

[Roll No. 5]

Adams	Foley	Shipley
Allen	Ford, Tenn.	Snider
Anderson, Ill.	Fraser	Staggers
Andrews, N.C.	Frey	Stanton
Armstrong	Gibbons	Stark
Berglund	Gibbons	Trague
Bingham	Hackler	Traxler
Broyhill	Hill	Udall
Burton, John	Jeffords	Ullman
Byron	Lundine	Van Deelen
Cleveland	McKewan	Walsh
Dent	Moss	Watkins
Dicks	Rallsback	Waver
Diggs	Rhodes	White
Dorman	Roberts	Wyder
Eckhardt	Rogers	Young, Ga.
Erlenborn	Ruppe	
Fiorio	St. Germain	

The SPEAKER pro tempore. On this roll call 382 Members have recorded their presence by electronic device, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

EIGHTH QUARTERLY REPORT OF COUNCIL ON WAGE AND PRICE STABILITY—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States, which was read and, together with the accompanying papers, without objection, referred to the Committee on Banking, Finance and Urban Affairs:

To the Congress of the United States:

In accordance with section 5 of the Council on Wage and Price Stability Act, as amended, I hereby transmit to the Congress the eighth quarterly report of the Council on Wage and Price Stability. This report contains a description of the Council activities during the third quarter of 1976 in monitoring both prices and wages in the private sector and various Federal Government activities that lead to higher costs and prices without creating commensurate benefits. It discusses in some detail the Council's study of collective bargaining negotiations for 1976, health costs, aluminum prices, and chlorine, caustic soda prices as well as its filings before various Federal regulatory agencies.

During the remainder of 1976, the Council on Wage and Price Stability will continue to play an important role in supplementing fiscal and monetary policies by calling public attention to wage and price developments or actions by the Government that could be of concern to American consumers.

GERALD R. FORD.

THE WHITE HOUSE, January 11, 1977.

PROVIDING FOR ESTABLISHMENT OF A SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL

Mr. BRADEMAB. Mr. Speaker, I ask unanimous consent that the Committee on Rules be discharged from further consideration of the resolution (H. Res. 77) providing for the establishment of a Select Committee on Narcotics Abuse and Control, and ask for its immediate consideration.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

The Clerk read the resolution, as follows:

H. Res. 77

Resolved, That (a) (1) there hereby is established in the House of Representatives a select committee to be known as the Select Committee on Narcotics Abuse and Control (hereinafter in this resolution referred to as the "select committee"). The select committee shall be composed of eighteen Members of the House.

(2) Members of the select committee shall be appointed by the Speaker of the House. One member of the select committee shall be designated by the Speaker to serve as chairman of the select committee.

(3) At least one member of the select committee shall be chosen from each of the following committees of the House: The Committee on Armed Services, the Committee on Government Operations, the Committee on International Relations, the Committee on Interstate and Foreign Commerce, the Committee on the Judiciary, the Committee on Merchant Marine and Fisheries, and the Committee on Ways and Means.

(4) Any vacancy occurring in the membership of the select committee shall be filled in the same manner as the original appointment.

(b) The chairman of the select committee may establish such subcommittees of the select committee as he considers appropriate. Any such subcommittee shall be composed of not less than four members of the select committee.

Sec. 2. The select committee shall not have legislative jurisdiction. The select committee shall have authority—

(1) to conduct a continuing comprehensive study and review of the problems of narcotics abuse and control, including, but not limited to, international trafficking, enforcement, prevention, narcotics-related violations of the Internal Revenue Code of 1954, international treaties, organized crime, drug abuse in the Armed Forces of the United States, treatment and rehabilitation, and the approach of the criminal justice system with respect to narcotics law violations and crimes related to drug abuse; and

(2) to review any recommendations made by the President, or by any department or agency of the executive branch of the Federal Government, relating to programs or policies affecting narcotics abuse or control.

Sec. 3. (a) For purposes of this resolution, the select committee, or any subcommittee thereof authorized by the select committee, may sit and act at such times and places as it considers appropriate whether the House is sitting, has recessed, or has adjourned.

(b) For purposes of this resolution, the select committee, or any subcommittee thereof authorized by the select committee to hold hearings, may hold such hearings, and may require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, cor-

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response, memorandums, papers, documents, and other exhibits and materials, as it considers necessary. Subpoenas may be issued under the signature of the chairman of the select committee or any member of the select committee designated by him, and may be served by any person designated by such chairman or member.

(g) A majority of the members of the select committee shall constitute a quorum for the transaction of business, except that the select committee may designate a lesser number as a quorum for the purpose of taking testimony. The chairman of the select committee, or any member of the select committee designated by him, may administer oaths or affirmations to any witness.

(d) The select committee and any subcommittee thereof and its staff may conduct field investigations or inspections. Members and staff of the select committee may engage in such travel as may be necessary to conduct investigations relating to the purpose of this resolution.

Sec. 4. The select committee may employ and fix the compensation of such clerks, experts, consultants, technicians, attorneys, investigators, and clerical and stenographic assistants as it considers necessary to carry out the purpose of this resolution. The select committee may reimburse the members of its staff for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties stated in the select committee, other than expenses in connection with meetings of the select committee or any subcommittee thereof held in the District of Columbia.

Sec. 5. The provisions of clause 2 (g) (1) of rule XI of the rules of the House shall apply to the select committee.

Sec. 6. (a) The select committee shall report to the House with respect to the results of any investigation conducted by the select committee, or any subcommittee thereof, under section 3 (d).

(b) The select committee shall submit an annual report to the House which shall include a summary of the activities of the select committee during the calendar year to which such report applies.

(c) Any report of the select committee under this section which is submitted during a period in which the House is not in session shall be filed with the Clerk of the House.

Mr. BRADENAS (during the reading). Mr. Speaker, I ask unanimous consent that the resolution be considered as read and printed in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. GILMAN. Mr. Speaker, I rise in support of the proposal offered by my esteemed colleague, the gentleman from New York (Mr. WOLFF) which calls for the continuation of the House Select Committee on Narcotics Abuse and Control.

This committee received a mandate from the Members of the House last year when the measure introduced by Mr. Wolff, House Resolution 1350, passed the House by a vote of 361 to 10 last July.

The bill, which had over 200 cosponsors, created the Narcotics Select Committee, which, to date, has conducted several extensive, informative hearings in Washington and New York, and which has been instrumental in the dissemination and publication of material which focuses the attention on the need for stricter, more responsible regulation of drug trafficking and abuse.

The members of the select committee have garnered many salient facts about

the national and international narcotics problem in the brief months of the committee's existence, but there is still so much more which must be done.

The need for cooperation and coordination within the many Government agencies presently involved in narcotics control has been attested to in testimony delivered by many outstanding witnesses from various Federal and State agencies and departments: the CIA, the Department of State, the League of Cities, the U.S. Justice Department, DEA, the office of New York's special narcotics prosecutor, and many others who have given their time, expertise, and assistance to the members of this committee.

It is urgent that this committee receive the same kind of mandate that was given last July. The narcotics problem in our Nation has reached crisis proportions.

The severity of the problem grows every day. This committee was envisioned by the House as a tool which would be used to pry open sources of information which would shed light on the reasons why America's present narcotics effort has, to a large extent, been ineffective in the widespread war on drugs.

The recommendations and conclusions of this House select committee will prove, I believe, invaluable to the Members of Congress and to the entire Nation which is so directly affected by the rampant abuse of narcotics in our society.

I urge my colleagues to join in support of the gentleman's recommendation that the life of this House select committee be further extended.

Mr. AMBRO. Mr. Speaker, today the House is discussing a resolution to reconstitute the Select Committee on Narcotics Abuse and Control.

While I would have liked to engage in a dialog on certain aspects of the select committee's activities, the unanimous consent parliamentary procedure makes this a difficult task.

However, I would like to bring to my colleagues' attention a situation in La Paz, Bolivia, which bears on U.S. efforts to control drug trafficking.

I might preface my remarks by saying that certainly no one has any quarrel with the objectives of eliminating drug trafficking.

However, when these objectives are implemented by government departments, agencies and officials, both foreign and U.S., the spirit and intent of Congress in the enacting legislation are often distorted.

For example, if it is incumbent upon a foreign country to cooperate in the U.S. drug control efforts in order to continue to receive foreign aid money, a country might merely arrest a group of Americans to establish a record, so to speak, saying in effect that the arrests are tangible evidence of their cooperative efforts.

Such an aberration appears to be taking place in Bolivia. The situation is exacerbated when corruption is rife with respect to drug traffic among Bolivian officials who have political influence and protection and, in order to placate loud voices in Congress and the United States, they arrest young people from the United States to give the perception of complying with U.S. desires.

In short, the Bolivian narcotics law promulgated 3 years ago—some say at

U.S. Drug Enforcement Administration initiation and insistence—is a bad law. This is openly admitted by both U.S. and Bolivian officials, and yet U.S. officials contend that there is little they can do when a narcotics violator is arrested. If the United States, through the DEA, is going to participate in raids on American citizens in Bolivia, it seems to me that the United States must take some responsibility for what happens afterward.

I commend to my colleagues attention a recent column by Jack Anderson, which, I am told by persons who have firsthand knowledge of conditions in Bolivia, is an accurate portrayal of the situation as it exists in general and which I have inserted in the Record following my statement.

Unsaid, but clearly implied in the Anderson column, is the hardship and deprivation suffered in human terms by those incarcerated, their families and loved ones.

The Bolivians, especially reluctant to try people under an extremely harsh law, which until last month, did not even distinguish between a casual user and the trafficker, have postponed, shuttled and otherwise delayed cases endlessly. These American prisoners, typically 20 to 30 years of age, are drained of money by lawyers who can do nothing for them. Additionally, those incarcerated require \$100 to \$200 per month to merely exist in jail, for if they had to depend on the prison allowance for sustenance, disease and malnutrition would quickly overcome them. The American prisoners, obviously small fry, are, however, forced to live in abject despair with little or no hope for the future. Rehabilitation programs, or even "busy work" are alien to their prison experience, and they literally sit around a courtyard all day long, retiring to their rooms in the evening.

Meanwhile, the actual drug traffic is unaffected. Typically, the jailed Americans are minor users, some of whom have never been near cocaine. Others who themselves never even experimented with drugs but were merely in the company of minor users and, therefore, arrested are wholly innocent of any drug-related experience. While the drug traffic prospers, the prisoners are stagnating, and their incarceration is destroying them. Some are held without any hope of bail and in the absence of arraignment, indictment, or trial.

In conclusion, while reiterating support of the noble objectives of genuine legislation, it seems to me that the Bolivian story must be told and addressed in the human terms of wasted lives for the wrong reason and the Select Committee on Narcotics Abuse and Control should take a long, hard look at these factors as they undertake their formidable task.

IN LATIN AMERICAN PRISONS BUT SOME STILL LANGUISH

(By Jack Anderson)

Hundreds of American youths spend the Christmas holidays in dismal, dingy Latin American prisons.

Most of them were arrested on drug charges, usually for possessing a few pounds of marijuana, but sometimes merely for at-

himself. He needed someone the public could identify with to help with the foodathon.

That person, it turned out, was Brad Davis, a former Marine drill instructor who worked his way through the ranks at then WTIC-Channel 8 pushing Connecticut fresh milk as a local Dick Clark type disc jockey and later as an investigative reporter on that station's "What's Happening" program.

"I took tuna fish. That was my pitch," Davis said with a smirk. "I got enough tuna fish to last for two years."

Davis got on the air at a portable WDRG microphone at the West Farms Mall in West Hartford and asked secretaries going to work at the Insurance companies to stop off on their way with a can of tuna fish.

"And bring \$5, and I'll show you my Marine tattoo," Davis said over the air.

Women came by the scores, some carrying whole cases of tuna fish, Davis said. And some brought a \$5 bill to see Davis unbutton his shirt and show his eagle, globe and anchor Marine tattoo on his right arm.

"Seventy-five secretaries were lined up, each with a can of tuna fish and each with a \$5 bill," Davis said.

But while Davis was outside collecting tuna fish and money, Otis, a WDRG disc jockey, was inside the trailer telling other radio listeners that the ex-Marine would do almost anything to fill up the cupboards of the food bank.

Otis told the radio listeners that Davis would let them pull out a hair on his chest for \$1. "Buck a pluck," the disc jockey was billing it.

"I couldn't believe it," Davis said, "But I couldn't get out of it. He was already on the air asking someone driving a Corvette to stop by with a check book. But I thought then that nobody would show."

Davis was wrong. Dead wrong. Within a half hour a guy pulled up outside the trailer in a Corvette and jumped out, checkbook in hand, wanting to take Otis up on his offer.

A young woman was selected to pluck out the hairs and the guy in the flashy car said he would pay \$1 for each one.

Davis had only one choice, he said. Let her pluck them out one at a time, or all at once. He opted for the latter.

"Grab a handful and pull them out, I told her," Davis said.

There was one wince from Davis when the woman yanked at a tuft of hair and when they were all counted the guy in the Corvette wrote out a check for \$160.

Davis can relate many tales like this. He got excited about the idea of an emergency food bank and put every spare hour he could cram into his busy schedule into raising money and collecting food items for the program.

Today, the food bank, located at CRT headquarters, contains 35,000 food items and a bank account of \$9,000 to replenish supplies when they run out.

Paul Puzzo of CRT, who is in charge of the food bank, said some 8,000 people have received emergency food supplies since the program started.

Puzzo said the food bank carefully screens people to make sure that no one gets groceries except on an emergency basis, and everyone who is helped is expected to reimburse them when they get back on their feet.

He said most persons who have used the food bank are welfare recipients whose checks arrived late or were lost in the mails, although some are those who have been burned out of their homes or have met other misfortunes.

A five-day supply of food is all one family can receive at any given time.

The food bank is careful that each food package is nutritionally balanced.

The items include soups, baby food, canned vegetables, meats and fish, rice, powdered

milk and beans. Puzzo said the bank also has such items as instant soups, given by people who have cleaned out things in their cupboards they would never use themselves.

"We're always short on protein items, but we have so many cans of soup we'll never be able to use them up," Puzzo said.

Puzzo said the money collected for the food bank is used then to replenish the protein items.

He said the food bank "really filled a void in the Hartford community."

"People really had to scrounge and sometimes go hungry. If the bank was ever discontinued, I don't know where people would go," Puzzo said.

But it has not been just Hartford residents who have benefited from the emergency food bank, the bank for food.

The first selectman of East Granby, Frank Rothhammer, has sent four or five of his residents to the bank for food.

Rothhammer said the people he sent to the bank were those whose unemployment checks had arrived late or "for other unforeseen circumstances" had no food in their homes to feed their families.

One Hartford woman who recently used the bank said she didn't know what she would have done without it.

"It took just a couple of hours," she said. "The people there even took care of my kids while they drove to the welfare office to verify that my check was late. They were really helpful to me."

The woman said she called the welfare office for her but was told they couldn't do anything.

Of the half-dozen families contacted by The Courier who used the food bank, all said they had tried other agencies for help and were told there was nothing they could do.

All said they received food within several hours after applying for a voucher.

Parker and Davis have held two foodathons in the past year to keep the stockpiles of groceries replenished at the bank, but both know that the novelty will wear out soon.

"We can't expect the foodathons to continue to be so successful," Parker said. "We're going to need more help from the community to keep the bank going."

Davis said he will give all money he earns from speaking engagements this year to the food bank.

This past year, Davis addressed at least a dozen organizations and got each to donate either money or food to the bank.

In his preacher-like manner, Davis has talked Hartford company executives into helping out the food bank. One executive of Heublein, for example, gave Davis 20 cases of enchilada sauce to go with the rice at the bank. The Lions Club came up with 60 turkeys at Thanksgiving time and one general contractor dropped off 50 cases of dried milk at the bank.

Davis even talked one reputed Massachusetts mobster out of a \$50 bill after preaching to him for a half-hour about the plight of poor people on fixed incomes.

In the next month, Davis is flying out to Detroit to help several radio station newsmen there to set up an emergency food bank.

"Every city in the country should have a food bank like Hartford's," Davis said.

FOOD BANK FACTS

Food is distributed by The Community Renewal Team, Hartford's largest anti-poverty agency, responsible for over \$48 million of federal, state and local funds for programs to help the poor. CRT has been helping the poor for 14 years, seeking to erase poverty through programs in education, health, job training and job placement. It also works to solve problems that poverty brings.

Last year we collected over 100,000 items of food with the help of many individuals and provided food for over 7,000 families.

To date, CRT has distributed more than 80,000 items of food to the needy: meat, fish, fruits, vegetables, baby food, a dry and canned milk, etc.

The Food Bank is operated by the Food Bank Commission.

The Commission meets regularly to determine standards of food eligibility, establish distribution policy and initiate food bank drives.

Persons subsisting on incomes at or below Federal poverty guidelines are eligible for food under emergency situations. Hartford residents can apply for food through any one of eight CRT Neighborhood Centers; suburban residents can contact their town's Social Services Department and, in all locations, within three to five hours receive their food packages.

A dietitian supervises the make-up of food bundles to insure nutritious meals including sources of minerals, vitamins and proteins.

A minimum supply of food for one person for one day is equivalent to two cans of food. Eight cans of food take care of the minimum day's needs for a family of four.

The Food Bank has been helped by the contributions and assistance of many agencies and businesses.

It is helped by you. By your generosity in helping to ward off hunger in Hartford.

SELECT COMMITTEE ON ASSASSINATIONS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Colorado (Mr. WIRTH) is recognized for 5 minutes.

Mr. WIRTH. Mr. Speaker, when the House voted last September to establish the Select Committee on Assassinations, I was among the 280 Members who supported the measure. At that time I felt there were many questions about the assassinations of President Kennedy and Dr. King that needed to be examined. I still feel that way. But now—unfortunately—it seems that the committee we created last fall is embarked on a course that is raising serious questions about its own operations.

The committee's inquiry is likely to be the final investigation of the slayings of John F. Kennedy and Martin Luther King. For that reason alone, it must be conducted carefully and thoroughly and properly in every respect. Otherwise, Americans will question the select committee's conclusions ten years from now, much as they question the Warren Commission's and FBI's findings today.

My colleague from California, Mr. Edwards, has already questioned some of the procedures that the committee has announced. I would like to associate myself with the concerns he has expressed. Procedures which protect individual rights are essential.

We must also make sure that the select committee investigation is kept free of anything that smacks of politics or publicity-seeking. Just about anything said about the Kennedy and King assassinations these days is news. Every precaution must be taken to insure that the investigation is not exploited for anyone's ulterior purposes.

Having made these observations, I must say that I have grave concerns about the way the select committee investigation has begun. In its first 3 months, there have been repeated leaks to the press. One such report had committee investigators going to Cuba to

interview Premier Fidel Castro. The story was later denied. My concerns were further aroused by the presentation made to the Democratic caucus last month by Staff Director and Chief Counsel Richard Sprague.

When the House voted to establish the Select Committee on Assassinations last September, we did more than create another House committee. By voting to establish the select committee we put the credibility and reputation of the House on the line.

Normally, I believe, the selection of a committee staff should be left to the chairman and members of that committee. But this is not a normal situation. This is an investigation of the assassinations of the President of the United States and one of the Nation's foremost civil rights leaders. Thus, the selection of the committee's chief staff person is a matter of legitimate concern to this body.

The person heading the investigation must have impeccable credentials. And he must also be objective in his approach to the subject matter of the investigation. He should not be an advocate or start out with any preconceptions. This is an investigation, an inquiry—not a prosecution.

Accordingly, I believe we have a right to know more about Mr. Sprague. How was he hired? Who recommended him? Who else was interviewed for the job? How did the committee make its final selection among candidates? To what extent was Mr. Sprague's background checked before he was hired?

Quite honestly, my own concerns about Mr. Sprague's background have been heightened by recent reports in the press, most notably the New York Times, which raise serious questions. The specifics are startling:

The Pennsylvania attorney general criticized Mr. Sprague's handling of a homicide case, known as the Applegate case, involving the son of one of Sprague's good friends;

In another case involving the husband of Sprague's girlfriend, the Pennsylvania Supreme Court said the proceedings lacked due process and the husband's later arrest was a "gross injustice";

An independent consultant operating under a Federal grant criticized Mr. Sprague's performance as Philadelphia's first assistant district attorney as distinctly deficient;

Mr. Sprague took 3 years to investigate what the Pennsylvania Crime Commission said was widespread political corruption in Pennsylvania's Delaware County—yet brought no criminal charges and Sprague issued no report, until chided by the commission;

Allegations of the "selective prosecution" by Mr. Sprague of a Philadelphia newspaper reporter for secretly recording his own phone conversations, while Sprague took no action against similar practices of the city's own police and fire departments;

The connection, if any, between Mr. Sprague's \$2 million libel suit against the reporter and his newspaper, and publication of a series of articles on Mr. Sprague's handling of the Applegate case;

Questions by a newly elected Pennsylvania county comptroller that Mr. Sprague's spending habits in the Yablonski murder case were less than careful.

I think it is also appropriate to ask what arrangements Mr. Sprague made with his law firm when he took this job. And, I think it would be reasonable to ask Mr. Sprague to make a full financial disclosure to the select committee, if not to the House.

There are significant questions here that must be answered before the select committee is permanently funded. On the other hand, it would be unnecessarily disruptive to bring the committee's work to a complete halt at this time. Therefore, I would urge my colleagues to join with me in approving temporary funding on the condition that the select committee provide the House with answers to these questions by the 31st of March. If, at that time, answers and information have not been forthcoming which allay my concerns, I will oppose continuation of the select committee investigation.

NATIONAL COMMISSION ON NEIGHBORHOODS

The SPEAKER pro tempore Under a previous order of the House, the gentleman from Ohio (Mr. ASHLEY) is recognized for 10 minutes.

Mr. ASHLEY. Mr. Speaker, I am today reintroducing my bill to establish a National Commission on Neighborhoods. This bill is similar to the bill I introduced in July of last year, H.R. 14756, which was reported by the Committee on Banking, Currency and Housing on September 17, 1976. The bill passed the Senate but, because of the lateness of the session, was unable to be considered by the full House. H.R. 14756 was strongly endorsed by Secretary of HUD Carla Hills and the Ford administration and received bipartisan support during its consideration by the Committee on Banking, Currency and Housing.

It is my hope that in reintroducing this bill that the Congress will act quickly to pass this legislation so that we can get on with the job of establishing important new urban policy directions for the new Carter administration. For too many years the Federal Government's housing and urban development policy has had the effect of favoring new construction and the new expansion of urban areas at the expense of preserving what our urban communities already have. From the careful review that the Subcommittee on Housing and Community Development has been undertaking over the past 2 years on our housing programs and policies, it has become quite clear to us that the preservation of our established urban neighborhoods has been a stepchild of Federal policy. There has never been an explicit recognition that the existing housing in established neighborhoods is the Nation's principal housing resource. As a number of witnesses testified before our subcommittee last year, existing housing is not only our main housing resource, it is the largest single component of this country's national wealth.

This bill would establish a National Commission on Neighborhoods to be composed of 20 members to be appointed by

the President and the Congress no later than June 1, 1977. This Commission would have 2 years to make recommendations on existing policy, laws, and programs that impact upon neighborhoods and to recommend modifications in our Federal housing and community development policies. I would expect the Commission's attention would be directed towards the development of new mechanisms to promote reinvestment in existing city neighborhoods, more effective means of community participation in local government, and policies to encourage the survival of economically and socially diverse neighborhoods to prevent block-busting, redlining, resegregation, and speculation in reviving neighborhoods. It would seek ways to promote urban home ownership policies to encourage better maintenance and management of existing rental housing and the maintenance and rehabilitation of existing structures. It would promote modifications of local zoning and tax policies, as well as the reorientation of existing housing and community development programs to better support neighborhood preservation.

Mr. Speaker, it is my intention to move quickly on this bill shortly after our committee is organized and to send it to President Carter for his approval as soon as possible, since I believe this is a vital element in the development of our urban policy in the new administration.

PART-TIME CAREER OPPORTUNITY ACT

The SPEAKER pro tempore Under a previous order of the House, the gentleman from California (Mrs. BURKE) is recognized for 5 minutes.

Mrs. BURKE of California. Mr. Speaker, today I am reintroducing legislation which will significantly increase the employment opportunities in the departments and agencies of the Federal Government for those persons who are unable to work the standard 40-hour work week—such as women with young children, students, the handicapped and retired persons.

The Part-Time Career Opportunity Act will encourage agencies of the Federal Government to make available part-time positions, not just at the lower levels where they are now concentrated but in responsible positions up and down the career ladder and across the spectrum of Federal agencies.

At the heart of this legislation is the requirement that, except where an agency can show that converting positions to part time would either impair its efficiency or adversely affect current full-time employees, part-time positions in each agency be increased to 10 percent within 5 years. This would be accomplished by providing a 5-year phase-in period during which 2 percent of Federal jobs would be restructured each year by attrition until a maximum of 10 percent is reached.

The Senate passed part-time legislation in the 94th Congress, which was almost identical to the bill I am introducing today. The House Post Office and Civil Service Committee held hearings on my bill and others related to part-time

deduction. Form 3120 (Multiple Support Declaration) may be used for this purpose.

Sale of Personal Residence by Elderly Taxpayers.—A taxpayer may elect to exclude from gross income part or, under certain circumstances, all of the gain from the sale of his personal residence, provided:

1. He was 65 or older before the date of the sale, and

2. He owned and occupied the property as his personal residence for a period totaling at least 5 years within the 8-year period ending on the date of the sale.

Taxpayers meeting these two requirements may elect to exclude the entire gain from gross income if the adjusted sales price of their residence is \$20,000 (this amount will increase to \$35,000 for taxable years beginning after December 31, 1976) or less. (This election can only be made once during a taxpayer's lifetime.) If the adjusted sales price exceeds \$20,000 (this amount will increase to \$35,000 for taxable years beginning after December 31, 1976), an election may be made to exclude part of the gain based on a ratio of \$20,000 (this amount will increase to \$35,000 for taxable years beginning after December 31, 1976) over the adjusted sales price of the residence. Form 2119 (Sale or Exchange of Personal Residence) is helpful in determining what gain, if any, may be excluded by an elderly taxpayer when he sells his home.

Additionally, a taxpayer may elect to defer reporting the gain on the sale of his personal residence if within 18 months before or 18 months after the sale he buys and occupies another residence, the cost of which equals or exceeds the adjusted sales price of the old residence. Additional time is allowed if (1) you construct the new residence or (2) you were on active duty in the U.S. Armed Forces. Publication 523 (Tax Information on Selling Your Home) may also be helpful.

Credit for the Elderly.—A new, expanded, and simplified credit for the elderly has replaced the former more complex retirement income credit.

A taxpayer may be able to claim this credit and reduce taxes by as much as \$375 (if single), or \$625 (if married filing jointly), if the taxpayer is:

- (1) Age 65 or older, or
- (2) Under age 65 and retired under a public retirement system.

To be eligible for this credit, taxpayers no longer have to meet the income requirement of having received over \$500 of earned income during each of any 10 years before this year.

For more information, see instructions for Schedules E and EP.

Earned Income Credit.—A taxpayer who maintains a household for a child who is under age 18, or is a student, or is a disabled dependent, may be entitled to a special payment or credit of up to \$400. This is called the earned income credit. It may come as a refund check or be applied against any taxes owed. Generally, if a taxpayer reported earned income and had adjusted gross income (line 15c, Form 1040) of less than \$3,000, the taxpayer may be able to claim the credit.

Earned income means wages, salaries, tips, other employee compensation, and net earnings from self-employment (generally amount shown on Schedule SE (Form 1040) line 15). A married couple must file a joint return to be eligible for the credit. Certain married persons living apart with a dependent child may also be eligible to claim the credit.

For more information, see instructions for Form 1040 or 1040A.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. ANNUNZIO) is recognized for 5 minutes.

[Mr. ANNUNZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

ASSASSINATION INVESTIGATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. GONZALEZ) is recognized for 15 minutes.

Mr. GONZALEZ. Mr. Speaker, the 94th Congress on September 17, 1976, debated, deliberated and decided that there should be an investigation into the assassinations of President John F. Kennedy and Dr. Martin Luther King, Jr. It seems to me unconscionable to the American people, this House and the professional staff who have already begun this investigation, now to redouble a policy which has previously been decided.

Legitimate questions have been raised by my colleague, Chairman DONALD EWARTS, about the conduct of the investigation. To keep the Members of this House fully apprised of those issues as well as my response I have inserted all of that correspondence in the RECORD of this House. Other inquiries have been raised about the proposed budget and the size of the staff. Personal attacks have been leveled in the media against Richard Sprague, the committee's chief counsel.

The inquiries do not raise an issue as to whether we should continue these vital investigations but how. Certainly there should be no question as to the will or desire of the American people to carry on these investigations. The primary issue now facing the House is simply to reestablish the select committee.

There are very compelling reasons for the immediate reestablishment of the select committee. For example, subpoenas which have been issued in both the Kennedy and King investigations are no longer enforceable. Thus, the evidence which was previously under the control of the House is no longer effectively under its control. Similarly, evidence which should be immediately brought under the control of the House cannot because there is no committee and no subpoena power. The select committee is literally in a legal limbo.

The committee has assembled a staff of professionals who are continuing to proceed. Yesterday, members of the Kennedy subcommittee and I received a briefing from the staff outlining areas of investigation which require sustained effort. I know that if it were possible to divulge at this stage of the investigation the facts and evidence adduced, every reasonable-minded Member of the House would say: "By all means proceed." I believe that if the American people were to know these same facts and developments, they would never forgive us for not going on.

The staff is continuing to proceed with the acquisition and analysis of documents from all agencies of Federal, State, and local government. Unfortunately, where there is no legal authority, even the acquisition of documents has been seriously hampered.

Today, I received a letter from Ator-

ney General Levi, properly advising us that until the committee is reestablished we are "unauthorized persons" and thus prevented from further examination and analysis of records. The Attorney General has assured me of his cooperation once the committee is reestablished and I am also advised that he has directed the Federal Bureau of Investigation to continue to process requests so it can be examined and analyzed as soon as the select committee is reestablished.

Finally, Mr. Speaker, I cannot too strongly stress that it is imperative that the select committee be established immediately. Unwarranted delay will permanently cripple the efforts of our investigations.

REMARKS UPON INTRODUCTION OF HOUSE RESOLUTION CONDEMNING FRENCH RELEASE OF TERRORIST ABU DAUD

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts (Mr. TSONGAS) is recognized for 5 minutes.

Mr. TSONGAS. Mr. Speaker, I stand today to offer a House resolution the purpose of which is to express strong protest at the actions of the Government of France in releasing the terrorist accused of planning the Munich Olympic massacre of 1972.

The Munich massacre, of course, resulted in the murder of Israeli athletes. It was an event which focused world attention on terrorism and the product of such acts. The product then was the death of 11 innocent hostages. An event which occurred 2 days ago in France is also the focus of world attention. The product of this unfortunate event can only be a world held hostage by the threat of terrorism.

The hasty release of Abu Daud by the Government of France is an intolerable breach of international law and justice. The release took place despite the fact that the nations of Germany and Israel had requested extradition of Daud, despite the fact that these nations had bilateral extradition agreements with France. Despite the fact that France had recently signed a Council of Europe antiterrorism treaty, and despite the fact that this release is in direct contradiction to the laws protecting citizens of all countries.

Therefore, I am asking my colleagues to support a resolution which expresses the sense of the House that the release of Abu Daud by the Government of the Republic of France was both premature and unjustified and that such action should be strongly protested and condemned.

I believe that this action will inform the world of this body's and this Nation's sense of outrage over the release of an alleged terrorist and mass murderer. And I believe that this action will encourage capitulation to terrorism in the future.

THOMAS TSONGAS

Expressing the sense of the House of Representatives with respect to the release of

Abu Daoud, the alleged planner of the 1972 Munich massacre of 11 Israeli athletes, by the French Government.

Whereas the Government of the Republic of France had released Abu Daoud, the alleged planner of the 1972 Munich Massacre which resulted in the murder of 11 Israeli athletes;

Whereas Abu Daoud was accused of abhorrent crimes of terrorism that demand judicial pursuit when the opportunity arises;

Whereas the Government of France failed to hold Abu Daoud in consideration of requests for extradition by the governments of Germany and Israel;

Whereas the Government of France, a signer of the 1976 Anti-Terrorism Treaty, the purpose of which was to curtail world terrorism, has by this action ignored this treaty; and

Whereas this action of the Government of France violates the spirit of international law and morality and encourages terrorism and a disregard for the laws protecting citizens of all countries; Now, therefore, it is Resolved, That it is the sense of the House of Representatives that the release of Abu Daoud by the Government of the Republic of France was both premature and unjustified and that such action should be strongly protested and condemned.

CONGRESSMAN JOE MINISH HONORED

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin (Mr. Reuss) is recognized for 5 minutes.

Mr. REUSS. Mr. Speaker, as chairman of the House Banking, Finance and Urban Affairs Committee, I am aware of the outstanding work of Congressman Joseph G. Minish in the field of renegotiation. Since assuming the chairmanship of the Subcommittee on General Oversight and Renegotiation in early 1975, Congressman MINISH has led the way in exposing deficiencies in both the Renegotiation Act and in its administration by the Renegotiation Board. In 1976, he developed and pushed through the House legislation to provide for comprehensive reform of the renegotiation process.

I was pleased, therefore, to learn of the much-deserved praise Congressman Minish received recently from that steadfast guardian of the taxpayer, Adm. Hyman G. Rickover. I want to share with my colleagues, remarks made earlier this month by Admiral Rickover, with regard to the gentleman from New Jersey:

REMARKS BY ADMIRAL H. G. RICKOVER, U.S. NAVY, CONCERNING CONGRESSMAN JOSEPH G. MINISH, JANUARY 4, 1977

I would like to say a few words about my good friend, Congressman Joseph Minish.

He is a man who knows where he stands on every question of life and affairs to an unusual degree. He has a warm heart and gift for friendship. He is one of those beings whose pace of life is faster and more intense than the ordinary. He is a sincere patriot, a wise, grave, sober-minded statesman, and a gay brilliant, loyal, lovable being.

He remains inflexibly attached to first principles. He rarely traduces men's motives, he sometimes regards their decisions as foolish or founded on inadequate information.

His chief virtue is courage; and to brave men most things can be forgiven. Another virtue of importance is "honor." When presented before the bar of history men will

have to answer the question, whether in crisis they acted honorably.

The single, central, organizing principle of his moral and intellectual universe is a strong and comprehensive and historical imagination.

He knows a great deal about the Renegotiation Board, and far more than most of the so-called experts in this field. He has been in the vanguard of those far-sighted members of Congress dedicated to protecting the public interest in this field.

I am particularly grateful to him for the unflinching support he has given to our efforts to protect the Government's interests. For this, the United States owes him a debt of gratitude.

It was his committee which held special hearings in 1976 to bring into focus the need for strengthening the Renegotiation Board.

He permits nothing to deter him from doing his duty to the United States.

In the business of government, any movement from hideous to bad is progress, from hideous to fair is spectacular. And Congressman Minish has done more than his share to achieve the spectacular for us.

He does not agree with many of our pseudo-intellectuals who are drowning in their own words and suffocating in their own documents.

He thinks that knowledge is preferable to ignorance; human sympathy more valuable than ideology. That in spite of the recent triumphs of science, men have not changed much, and in consequence we must still try to learn from history.

Future generations will, I am sure, remember him above all for what he has done to preserve our heritage than for anything else.

INTERNATIONAL TERRORISM PRESENTS A THREAT TO ALL NATIONS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. Wolff), is recognized for 5 minutes.

Mr. WOLFF. Mr. Speaker, the recent release of Black September terrorist Abu Daoud by the French Government is an affront to American citizens, as well as to Israelis and West Germans. What has been overlooked in the quite understandable focus on the Munich Olympic massacre is that the American people, too, have a legitimate interest in Abu Daoud—he was the spark for the murder of two of our diplomats in Khartoum, Sudan, in 1973.

As such, France's action, taken despite the expressed intentions of both Israel and West Germany to request his extradition, serves to emphasize the lack of a comprehensive international framework within which to combat terrorism.

On January 4, 1977—several days before the release of Abu Daoud—I re-introduced House Concurrent Resolution 46, "urging that the President actively seek an international convention which has as its goal a multilateral treaty to deny sanctuary to international terrorists." But the cynical and craven action of the French Government has provided my bill an impetus it hardly needed. I hope that Congress and the White House will act swiftly so that France or any other country presently content to appease terrorists' interests will in the future be forced to act in concert with all nations to interdict terrorism and promote world peace.

The problem of international terrorism represents a serious and continuing threat to the safety and welfare of citizens of all nations. It represents an equally serious and continuing threat to orderly governmental and political processes, international transportation, communications, commerce, and diplomatic relations.

During the past decade, terrorism has become a major international phenomenon yet has been met with only minor international attempts to deal with it.

Clearly, solutions to this problem are difficult at best. Certain states have demonstrated a willingness to harbor, train, and arm terrorists; the sophistication of today's news media serves as a double-edged sword, giving terrorists the broadest possible forum for their statements and actions; and weapons, including not only conventional arms but chemical, biological, and radiological agents as well, will become increasingly available during the next several years. The fear many people now share concerning the inevitability of a terrorist takeover of a nuclear facility can only be viewed as harshly realistic.

The spread of such terrorist activity must be halted. In 1976 alone, there were over 30 acts of terrorism—bombings, hijackings, kidnappings, and assassinations—in which hundreds of people were victimized, at least 75 were killed and many more injured. Yet collective international response has been reactive in nature and limited almost exclusively to marginally lightening internal security precautions and establishing several narrow treaties concerning hijacking and the protection of diplomats.

A far broader, more effective treaty is necessary if we are to prevent the further escalation of a dangerous and destructive political tactic, one which many experts assert will be increasingly directed against Americans and American territory. My resolution would encourage the President to seek such a treaty, and I urge my colleagues to join me by cosponsoring this resolution.

PROPOSING AN AMENDMENT TO CONSTITUTION TO PROVIDE DIRECT POPULAR ELECTION OF PRESIDENT AND VICE PRESIDENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. Rodino) is recognized for 10 minutes.

Mr. RODINO. Mr. Speaker, Senator Bayh and 41 cosponsors have introduced in the Senate, Senate Joint Resolution 1, proposing an amendment to the Constitution to provide for the direct popular election of the President and Vice President of the United States. The Bayh amendment would abolish the electoral college system.

In the past I have been supportive of these efforts and I joined 338 of my colleagues in recommending a nearly identical constitutional amendment when it passed this House in 1959. I believe, however, that it is time for a new look, a closer look perhaps, in 1977. The electoral college system has served this Nation since its inception; it has elected

regarding the privilege of the floor must be strictly adhered to.

Children of Members will not be permitted on the floor and the cooperation of all the Members is requested.

PROVIDING COMPENSATION AT MAXIMUM PAY LEVELS FOR EMPLOYEES OF HOUSE OF REPRESENTATIVES

Mr. WRIGHT. Mr. Speaker, I offer a resolution (H. Res. 8) and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 8

Resolved, That, until otherwise provided by law—

(1) each employee referred to in subsection (a) of the first sentence of House Resolution 418, Ninety-fourth Congress, adopted May 6, 1976,

(2) each employee in a position referred to in subsection (b) of section 523 of Public Law 91-510, and

(3) each individual with respect to whose compensation House Resolution 890, Ninety-second Congress, was made permanent law by Public Law 92-507,

may be compensated at a rate not in excess of the rate of basic pay for one pay level above the maximum pay level for employees of the House of Representatives provided under clause 6(c) of Rule XI of the Rules of the House of Representatives.

The resolution was agreed to.

A motion to reconsider was laid on the table.

CREATING SELECT COMMITTEE ON ASSASSINATIONS

Mr. WRIGHT. Mr. Speaker, I offer a resolution and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 9

Resolved, That, effective January 3, 1977, there is hereby created a Select Committee on Assassinations to be composed of twelve Members and Delegates of the House of Representatives to be appointed by the Speaker, one of whom he shall designate as Chairman. Any vacancy occurring in the membership of the Select Committee shall be filled in the same manner in which the original appointment was made.

The Select Committee or a Subcommittee thereof is authorized and directed to conduct a full and complete investigation and study of the circumstances surrounding the assassination, murder, homicide and death of President John F. Kennedy and the assassination, murder, homicide and death of Martin Luther King, Jr. and of any other persons the Select Committee shall determine in order to ascertain whether the existing laws of the United States, including but not limited to laws relating to the safety and protection of the President of the United States, assassinations of the President of the United States, deprivation of civil rights, and conspiracies related thereto, as well as the investigatory jurisdiction and capability of agencies and departments of the United States Government, are adequate, either in their provisions or in the manner of their enforcement; and shall make recommendations to the House, if the Select Committee deems it appropriate, for the amendment of existing legislation or the enactment of new legislation.

For the purpose of carrying out this reso-

lution the Select Committee, or any subcommittee thereof authorized by the Select Committee to hold hearings, is authorized to sit and act during the present Congress at all times and places within the United States, including any Commonwealth or possession thereof, or in any other country, whether the House is in session, has recessed, or has adjourned, to hold such hearings, and to require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, and correspondence, memorandums, papers, and documents as it deems necessary, to take testimony on oath anywhere within the United States or in any other country and to authorize designated counsel for the Select Committee to obtain statements from any witness who is placed under oath by an authority who is authorized to administer oaths in accordance with the applicable laws of the United States or of any state; except that neither the Select Committee nor any subcommittee thereof may sit while the House is reading a measure for amendment under the five minute rule unless special leave to sit shall have been obtained from the House. The Chairman of the Select Committee may establish such subcommittees of the Select Committee as he considers appropriate. One-third of the Members of the Select Committee shall constitute a quorum for the transaction of business as permitted by the rules of the House, except that the Select Committee may designate a lesser number as a quorum for the purpose of taking testimony, but not less than two. The Select Committee may employ and fix the compensation of such clerks, experts, consultants, technicians, attorneys, investigators, and clerical and stenographic assistants as it considers necessary to carry out the purposes of this resolution. The Select Committee may reimburse the members of its staff for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties vested in the Select Committee, other than expenses in connection with meetings of the Select Committee or any subcommittee thereof held in the District of Columbia.

Subpoenas may be authorized by the select committee, or any subcommittee thereof, and the chairman of the select committee, and issued under the signature of the chairman of the select committee or any member of the Select Committee designated by him, and may be served by any persons designated by such chairman or member.

The select committee shall be considered a committee of the House of Representatives for all purposes of law, including but not limited to section 103 of the Revised Statutes of the United States (5 U.S.C. 192); and sections 5002 and 5003 of title 18, United States Code or any other act of Congress regulating the granting of immunity to witnesses.

The select committee shall adopt written rules governing its procedures, which rules shall not be inconsistent with this resolution and the Rules of the House of Representatives.

The select committee shall report to the House as soon as practicable during the present Congress the results of its investigation and study, together with such recommendations as it deems advisable. Any such report which is made when the House is not in session shall be filed with the Clerk of the House.

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. ROUSSELOT. Mr. Speaker, reserving the right to object, will the gentleman from Texas, the new majority leader, tell us whether it is possible in the change of rules for the House Com-

mittee on Administration to allocate any money to this particular function without a vote of the House?

Mr. WRIGHT. Mr. Speaker, will the gentleman yield?

Mr. ROUSSELOT. I would be glad to yield.

Mr. WRIGHT. Mr. Speaker, it is my understanding, and I will yield for confirmation to the House Committee on Administration that absent an amendment of this type, there would be no means by which the committee could make funds available to this special committee.

Mr. THOMPSON. Mr. Speaker, will the gentleman yield?

Mr. ROUSSELOT. I would be happy to yield.

Mr. THOMPSON. The gentleman from New Jersey at the moment is not the chairman of the Committee on House Administration.

Mr. ROUSSELOT. Is there any doubt in the gentleman's mind that the gentleman will be?

Mr. THOMPSON. Mr. Speaker, if the gentleman will yield further, with the experiences of the past, it might be reasonable with this rule; but earlier in the day the House adopted the rule so that all select, special, ad hoc and other type committees, before they can be funded must introduce resolutions which will go to the Committee on House Administration, to its Subcommittee on Accounts, the prospective chairman being our colleague, the gentleman from Pennsylvania (Mr. Dwyer); then to the full committee and then to the floor.

Mr. ROUSSELOT. So what the gentleman is saying, before the committee can function further in that respect, coming from the chairmanship the gentleman formerly held, it must be brought to the floor.

Mr. THOMPSON. Mr. Speaker, if the gentleman will yield further, the answer to that is "yes." The House will have the opportunity to consider the resolution, not only for the committee to which the distinguished majority leader is referring, but to all other special, select, and ad hoc committees.

Mr. ROUSSELOT. Mr. Speaker, further reserving the right to object, the effect of this resolution is really based on a continuing resolution until a further resolution is passed.

Mr. WRIGHT. Mr. Speaker, if the gentleman will yield, that is precisely correct.

Mr. THOMPSON. Mr. Speaker, will the gentleman yield further?

Mr. ROUSSELOT. I am glad to yield.

Mr. THOMPSON. Essentially the resolution of the gentleman from Texas is to reconstitute the committee. The committee, presuming the adoption of the next resolution, which is a continuing resolution, will be entitled to the equivalent of 1 month's expenditure, or approximately \$3,000 per month, until the House acts on the larger budget request.

Mr. ROUSSELOT. Mr. Speaker, I appreciate the gentleman's comment. That was my next question. We are then, in effect, voting to fund this select committee for 1 more month.

The Clerk read the resolution, as follows:

H. Res. 7

Resolved, That until otherwise ordered, the hour of meeting of the House shall be, 12 o'clock meridian on Mondays and Tuesdays; 9 o'clock postmeridian on Wednesday; 11 o'clock antemeridian on all other days of the week up to and including May 14, 1977; and that from May 15, 1977 until June 30, 1977 the hour of daily meeting of the House shall be 12 o'clock meridian on Mondays and Tuesdays and 10 o'clock antemeridian on all other days of the week; and that from July 1, 1977 until the end of the first session, the time of meeting of the House shall be 12 o'clock meridian.

The resolution was agreed to.

A motion to reconsider was laid on the table.

JOINT SESSION OF CONGRESS— STATE OF THE UNION MESSAGE

Mr. WRIGHT. Mr. Speaker, I offer a concurrent resolution (H. Con. Res. 1) and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. Con. Res. 1

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress assemble in the Hall of the House of Representatives on Wednesday, January 12, 1977, at 9 o'clock postmeridian, for the purpose of receiving such communications as the President of the United States shall be pleased to make to them.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

REPORT OF COMMITTEE TO NOTIFY THE PRESIDENT

Mr. WRIGHT. Mr. Speaker, your committee appointed on the part of the House to join a like committee on the part of the Senate to notify the President of the United States that a quorum of each House has been assembled and is ready to receive any communication that he may be pleased to make has performed that duty. The President asked us to report that he will be pleased to deliver his message at 9 p.m., January 12, 1977, to a joint session of the two Houses.

PROVIDING FOR A JOINT SESSION TO COUNT ELECTORAL VOTES

Mr. WRIGHT. Mr. Speaker, I call up a Senate concurrent resolution (S. Con. Res. 1), and ask for its immediate consideration.

The Clerk read the Senate concurrent resolution, as follows:

S. Con. Res. 1

Resolved by the Senate (the House of Representatives concurring), That the two Houses of Congress shall meet in the Hall of the House of Representatives on Thursday, the 6th day of January 1977, at 1 o'clock postmeridian, pursuant to the requirements of the Constitution and laws relating to the election of President and Vice President of the United States, and the President of the Senate shall be their Presiding Officer; that two tellers shall be previously appointed by the President of the Senate on the part of the Senate and two by the Speaker on the

part of the House of Representatives, to whom shall be handed, as they are opened by the President of the Senate, all the certificates and papers purporting to be certificates of the electoral votes, which certificates and papers shall be opened, presented, and acted upon in the alphabetical order of the States, beginning with the letter "A"; and said tellers, having then read the same in the presence and hearing of the two Houses, shall make a list of the votes as they shall appear from the said certificates; and the votes having been ascertained and counted in the manner and according to the rules by law provided, the result of the same shall be delivered to the President of the Senate, who shall thereupon announce the state of the vote, which announcement shall be deemed a sufficient declaration of the persons, if any, elected President and Vice President of the United States, and, together with a list of the votes, be entered on the Journals of the two Houses.

The Senate concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

The SPEAKER. Pursuant to the provisions of Senate Concurrent Resolution 1, the Chair appoints as tellers on the part of the House to count the electoral votes on January 6, 1977, the gentleman from New Jersey, Mr. THOMPSON, and the gentleman from Alabama, Mr. DICKINSON.

AUTHORIZING SPEAKER TO DE- CLARE A RECESS ON WEDNESDAY, JANUARY 12, 1977

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent that on Wednesday, January 12, 1977, it may be in order for the Speaker to declare a recess at any time subject to the call of the Chair.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

AUTHORIZING SPEAKER TO DE- CLARE RECESSES ON THURSDAY, JANUARY 6, 1977

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent that on Thursday, January 6, 1977, it may be in order for the Speaker to declare recesses at any time subject to the call of the Chair.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

PRESIDENTIAL INAUGURATION

Mr. WRIGHT. Mr. Speaker, I offer a concurrent resolution (H. Con. Res. 2) and ask for its immediate consideration.

The Clerk read as follows:

H. Con. Res. 2

Resolved by the House of Representatives (the Senate concurring), That effective from January 4, 1977, the joint committee created by Senate Concurrent Resolution 90, of the Ninety-Fourth Congress, to make the necessary arrangements for the inauguration of the President-elect and Vice President-elect of the United States on the 20th day of January 1977, is hereby continued and for such purpose shall have the same power and authority as that conferred by such Senate Concurrent Resolution 90, of the Ninety-Fourth Congress.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER. Pursuant to the provisions of House Concurrent Resolution 3, 95th Congress, the Chair appoints as members of the Joint Committee to Make the Necessary Arrangements for the Inauguration of the President-Elect and the Vice President-Elect of the United States on the 20th day of January, 1977, the following Members on the part of the House: Mr. O'NEILL, of Massachusetts; Mr. WRIGHT, of Texas; and Mr. RHODES, of Arizona.

INTRODUCTION AND REFERENCE OF BILLS TODAY

The SPEAKER. The Chair would like to make a statement concerning the introduction and reference of bills today.

As Members are aware, they have the privilege today of introducing bills. Heretofore on the opening day of a new Congress, several thousand bills have been introduced. It will be readily apparent to all Members that it may be a physical impossibility for the Speaker to examine each bill for reference today. The Chair will do his best to refer as many bills as possible, but he will ask the indulgence of Members if he is unable to refer all the bills that may be introduced. Those bills which are not referred and do not appear in the Record as of today will be included in the next day's Record and printed with a date as of today.

The Chair has advised all officers and employees of the House that are involved in the processing of bills that every bill, resolution, memorial, petition, or other material that is placed in the hopper must bear the signature of a Member. Where a bill or resolution is jointly sponsored, the signature must be that of the Member first named thereon. The bill clerk is instructed to return to the Member any bill which appears in the hopper without an original signature. This procedure was inaugurated in the 92d Congress. It has worked well, and the Chair thinks that it is essential to continue this practice to insure the integrity of the process by which legislation is introduced in the House.

ANNOUNCEMENT BY THE SPEAKER REGARDING JOINT SESSION ON JANUARY 12

The SPEAKER. The Chair desires to make an announcement.

After consultation with the majority and minority leaders, and with their consent and approval, the Chair announces that on January 12, when the Houses meet in joint session to hear an address by the President of the United States, only the doors immediately opposite the Speaker and those on his left and right will be open.

No one will be allowed on the floor of the House who does not have the privilege of the floor of the House.

Due to the large attendance which is anticipated, the Chair feels that the rule

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Mr. THOMPSON. Mr. Speaker, will the gentleman yield further?

Mr. ROUSSELOT. I would be glad to yield.

Mr. THOMPSON. Presuming from the date the continuing resolution, which will be up next passes, the Committee on Assassinations, or whatever it is called, will be funded under the language of the continuing resolution until March 31.

Mr. ROUSSELOT. At the rate of approximately \$8,000 a month?

Mr. THOMPSON. If the gentleman will yield further, at the equivalent of one-twelfth per month of its authorization in the previous Congress, keeping in mind that the committee was constituted late in the previous Congress, in September.

Mr. WRIGHT. Mr. Speaker, will the gentleman yield further?

Mr. ROUSSELOT. I yield to the distinguished majority leader.

Mr. WRIGHT. I think the accurate description of what this would permit is to say that it would allow the continued authorization, until some action can be taken, at the rate of actual expenditure incurred by that committee in the month of December.

Mr. ROUSSELOT. But not to exceed that amount?

Mr. WRIGHT. Not to exceed that amount; not to exceed that amount.

Mr. ROUSSELOT. From the \$50,000 per month, is that what it is?

Mr. WRIGHT. If the gentleman will yield further, I am advised that that is approximately correct, and under no circumstances could enactment of this resolution authorize any amount calling for the expenditure of more than \$50,000.

Mr. ROUSSELOT. I thank the gentleman for yielding, and I withdraw my reservation of objection.

Mr. BAUMAN. Mr. Speaker, reserving the right to object, I certainly was not aware that this resolution was going to be called up this afternoon. Copies have not been available to Members generally. I listened to its reading very carefully, as one who supported the original authorization for this committee. I believed the statement of the former gentleman from Virginia, Mr. Downing, that the investigation was going to cost one-half million dollars to \$1 million and would continue for about a year. I am and a great many other people are alarmed at the scope of both the staffing and the expenditures that have now been proposed.

Surely, this committee does not have a higher claim to the consideration of the House than many of those standing or select committees or other groups. Unfortunately, none of us have had much of a chance to consider this. I would ask the gentleman if the resolution could not be brought up on Thursday so that Members would have a sufficient chance to consider it.

Mr. WRIGHT. Mr. Speaker, will the gentleman yield?

Mr. BAUMAN. Certainly, I yield to the gentleman.

Mr. WRIGHT. I wish the gentleman would not suggest that we bring it up on Thursday, because Thursday is set aside for the somewhat ceremonial, but none-

theless extremely important, constitutionally directed business of canvassing votes and discovering who was elected President of the United States.

I would suggest to the gentleman that the House will have ample opportunity to work its will as to the vote with respect to this particular committee. I too, as has the gentleman from Maryland, have been alarmed by quite large sums bandied about in the press as to the probable cost of this investigation. What we are doing at the moment is authorizing only the very short view, because it is necessary to authorize continuously lest it die, and then at a rate no more than the amount of money expended monthly as was expended in the preceding month, which was the month of December.

It cannot cost more than about \$50,000, and I would suggest to the gentleman that it is appropriate to vote on it today. The gentleman from Texas (Mr. Gonzalez), I am advised, discussed it in some detail with the gentleman from Ohio (Mr. Devine), and I am not aware of any basic issue.

Mr. BAUMAN. Further reserving the right to object, I understand the gentleman's desire to have this fast \$50,000 which—if the gentleman will pardon the expression—is not peanuts. I do think that if we go ahead with this resolution we are, in effect, approving of what we have heard the committee's plans are for the future. I cannot agree to the scope of those plans or the cost.

I therefore object to its consideration.
The SPEAKER. Objection is heard.

Mr. WRIGHT. Mr. Speaker, I move the adoption of the resolution.

The SPEAKER. The Chair will inform the gentleman that that motion is not in order at this time.

HOUSE RESOLUTION 10 RELATING TO HOUSE DOCUMENTS SUBMITTED BY COURTS OF LEGAL OFFICERS

Mr. WRIGHT. Mr. Speaker, I offer a privileged resolution (H. Res. 10), and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. Res. 10

Whereas, by the privileges of this House no evidence of a documentary character under the control and in the possession of the House of Representatives can, by the mandate of process of the ordinary courts of justice be taken from such control or possession except by its permission; Therefore be it

Resolved, That when it appears by the order of any court in the United States or a judge thereof, or of any legal officer charged with the administration of the orders of such court or judge, that documentary evidence in the possession and under the control of the House is needful for use in any court of justice or before any judge or such legal officer, for the promotion of justice, this House will take such action thereon as will promote the ends of justice consistently with the privileges and rights of this House; and be it further

Resolved, That during the Ninety-fifth Congress, when a subpoena or other order for the production or disclosure of information is by the due process of any court in the United States served upon any Member, officer, or employee of the House of Representatives, directing appearance as a witness

before the said Court at any time and the production of certain and sundry papers in the possession and under the control of the House of Representatives, that any such Member, officer, or employee of the House, after notifying the Speaker, is authorized to appear before said court at the place and time named in any such subpoena or order, but no papers or documents in the possession or under the control of the House of Representatives shall be produced in response thereto; and be it further

Resolved, That after the Speaker has been notified by the Member, officer, or employee that a proper court has determined upon the materiality and relevancy of specific papers or documents called for in the subpoena or other order, then said court, through any of its officers or agents shall have full permission to attend with all proper parties to the proceedings before said court and at a place under the orders and control of the House of Representatives and take copies of the said documents or papers and the Clerk of the House is authorized to supply certified copies of such documents that the court has found to be material and relevant, except that under no circumstances shall any minutes or transcripts of executive sessions, or any evidence of witnesses in respect thereto be disclosed or copied, nor shall the possession of said documents and papers by any Member, officer, or employee of the House be disturbed or removed from their place of file or custody under said Member, officer, or employee; and be it further

Resolved, That the House of Representatives reserves to itself the power to revoke or modify the authority contained herein in all or specific instances; and be further

Resolved, That a copy of these resolutions be transmitted by the Clerk of the House to any of said courts whenever such writs of subpoena or other orders are issued and served as aforesaid.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair desires to make an announcement concerning the electronic voting system.

After consultation with the leadership on both sides of the aisle it has been decided that it would be a convenience to Members to permit changes in votes cast with the electronic system by reinserting the voting card under the following conditions:

First, on 15-minute votes, Members may reinsert a voting card in any voting station during the first 10 minutes of the voting period. After 10 minutes, if a Member wishes to change his vote, he must follow the present procedure of doing so by voting card, in the well, following the completion of the 15-minute voting period; with the announcement of his change when called by the Clerk.

Second, on 5-minute votes, the revised procedure will permit Members to reinsert voting cards in any voting station at any time until the Chair directs voting stations to be closed by inquiring whether Members in the Chamber wish to change their votes or be recorded. From that point until the Chair's announcement of the result, Members must follow the present procedure of submitting voting cards, in the well, at the completion of the 5-minute voting period, and announcing his change when recognized to do so.

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The necessary programming of the computer has been accomplished to accommodate this change and so this new procedure on 5-minute votes is effective today.

AUTHORIZING FUNDS FOR THE STANDING AND SELECT COMMITTEES OF THE HOUSE OF REPRESENTATIVES

Mr. THOMPSON. Mr. Speaker, I offer a privileged resolution (H. Res. 11) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 11

Resolved, That (a) there shall be paid out of the contingent fund of the House of Representatives, in accordance with subsection (b), for the period beginning January 3, 1977, and ending at the close of March 31, 1977, such sums as may be necessary for the continuance of the same necessary projects, activities, operations, and services, by contract or otherwise (including payment of staff salaries for services performed), and for the accomplishment of the same necessary purposes, undertaken in calendar year 1976 by each standing or select committee established in the rules of the House of Representatives.

(b) Each standing committee or select committee referred to in subsection (a) shall be entitled, for each month or portion of a month occurring during the period specified in subsection (a), to payments out of the contingent fund of the House of Representatives in amounts equal to one-twelfth of the total amount authorized for use by the standing committee or select committee involved during calendar year 1976.

Sec. 2. (a) In the case of any select committee of the House of Representatives which—

(1) was established by resolution during the Ninety-fourth Congress;

(2) did not complete the functions assigned to it by such resolution, or any subsequent resolution, before the close of the Ninety-fourth Congress; and

(3) is reestablished by resolution during the Ninety-fifth Congress before the close of March 31, 1977, to carry out functions substantially similar to functions assigned to such select committee during the Ninety-fourth Congress;

such select committee shall be entitled, for each month or portion of a month occurring during the period beginning on the effective date of the resolution reestablishing such select committee and ending at the close of March 31, 1977, to payments out of the contingent fund of the House of Representatives, for the expenses and purposes specified in subsection (a) of the first section of this resolution, in amounts equal to the greater of—

(A) one-twelfth of the amount determined under subsection (b); or

(B) the total amount of expenditures made by the select committee involved during December 1976;

except that the entitlement of such select committee for the month during which such select committee is reestablished shall be prorated based upon that portion of such month during which such select committee is in existence.

(b) The amount which shall be the basis for an entitlement under subsection (a) shall be the amount which bears the same ratio to the total amount authorized for use by the select committee involved during calendar year 1976 as 12 months bears to the number of months during which such select committee was in existence during such

year. For purposes of the preceding sentence, any portion of a month in calendar year 1976 which is 15 days or more and during which any such select committee was in existence shall be considered to be a complete month.

Sec. 3. The entitlement of any standing committee or select committee of the House of Representatives to payments out of the contingent fund of the House of Representatives pursuant to the provisions of this resolution shall cease to be effective on the effective date of the primary expense resolution adopted with respect to the standing committee or select committee involved.

Sec. 4. Funds authorized by this resolution shall be expended pursuant to regulations established by the Committee on House Administration in accordance with law.

Mr. THOMPSON (during the reading). Mr. Speaker, I ask unanimous consent that the resolution be considered as read and printed in the Record.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

Mr. BAUMAN. Mr. Speaker, reserving the right to object, will the gentleman explain the resolution?

Mr. THOMPSON. Mr. Speaker, if the gentleman will yield I will be glad to explain it.

Mr. BAUMAN. I yield to the gentleman from New Jersey.

(Mr. THOMPSON asked and was given permission to revise and extend his remarks.)

Mr. THOMPSON. Mr. Speaker, this is a resolution authorizing funds for the continued operation of the standing and select committees of the House of Representatives. It is both traditional and essential to the continued operation of the House of Representatives that a continuing resolution be adopted each session, in order that the standing and select committees of the House of Representatives may continue their necessary activities, projects, operations, and services—including the payment of staff salaries for services performed—as undertaken by these committees in the calendar year 1976.

In order to permit standing or select committees established by the rules of the House to continue their operations, this resolution makes available from the contingent fund of the House an amount each month equal to one-twelfth of that committee's total authorization for calendar year 1976. Such payments are to continue until the effective date of the primary expense resolution adopted with respect to each committee, or until March 31, 1977.

With respect to select committees not established in the rules of the House, their funding under this continuing resolution will be available upon the effective date of the resolution reestablishing such committees in the 95th Congress.

Mr. Speaker, I move the adoption of the resolution.

Mr. BAUMAN. I thank the gentleman. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

WASHINGTON, D.C.

January 3, 1977.

Hon. THOMAS P. O'NEAL, Jr.,
The Speaker,
House of Representatives,
Washington, D.C.

DEAR Mr. SPEAKER: Under Rule III, Clause 4 (Section 547) of the Rules of the House of Representatives, I herewith designate Mr. W. Raymond Colley, Deputy Clerk, to sign any and all papers and do all other acts for me under the name of the Clerk of the House which he would be authorized to do by virtue of this designation, except such as are provided by statute, in cases of my temporary absence or disability.

If Mr. Colley should not be able to act in my behalf for any reason, then Mr. Benjamin J. Guthrie, Assistant to the Clerk, shall similarly perform such duties under the same conditions as are authorized by this designation.

These designations shall remain in effect for the 95th Congress or until revoked by me.

Sincerely,

EDMUND L. HENSHAW, JR.,
Clerk, U.S. House of Representatives.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

WASHINGTON, D.C.

October 8, 1976

Hon. CARL ALBERT,
The Speaker,
U.S. House of Representatives,
Washington, D.C.

DEAR Mr. SPEAKER: I have the honor to transmit herewith a sealed envelope from the White House, received in the Clerk's Office at 11:55 a.m. on Tuesday, October 8, 1976, and said to contain a message from the President wherein he transmits the sixth periodic report on the Cyprus negotiations as required by Public Law 94-104.

With kind regards, I am

Sincerely,

EDMUND L. HENSHAW, JR.,
Clerk, U.S. House of Representatives.

SIXTH PERIODIC REPORT ON CYPRUS NEGOTIATIONS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 95-2)

The SPEAKER pro tempore (Mr. WRIGHT) laid before the House the following message from the President of the United States; which was read and, without objection, referred to the Committee on International Relations and ordered to be printed:

To the Congress of the United States:

Pursuant to Public Law 94-104, I am submitting my sixth periodic report on the Cyprus negotiations and the actions which this Administration is taking to assist in the search of a lasting solution to the problems facing the people of the Republic of Cyprus.

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pointed to vote for Vice President of the United States is 538, of which a majority is 270.

Senator WALTER F. MONDALE, of the State of Minnesota, has received for Vice President of the United States 297 votes; and

Senator ROBERT DOLE, of the State of Kansas, has received 241 votes.

This announcement of the state of the vote by the President of the Senate shall be deemed a sufficient declaration of the persons elected President and Vice President of the United States, each for the term beginning on the 20th day of January, 1977, and shall be entered, together with a list of the votes, on the Journals of the Senate and the House of Representatives.

Members of the Congress, the purpose for which the joint session of the two Houses of Congress has been called, pursuant to Senate Concurrent Resolution 1, 95th Congress, having been accomplished, the Chair declares the joint session dissolved.

(Thereupon, at 1 o'clock and 34 minutes p.m., the joint session of the two Houses of Congress was dissolved.)

The House was called to order by the Speaker.

The SPEAKER. Pursuant to Senate Concurrent Resolution 1, the Chair directs that the electoral votes be spread at large upon the Journal.

LEGISLATIVE PROGRAM FOR BALANCE OF THIS WEEK AND FOR NEXT WEEK

(Mr. RHODES asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RHODES. Mr. Speaker, I take this time to inquire of the distinguished majority leader as to the program for the balance of this week.

Mr. WRIGHT. Mr. Speaker, if the gentleman will yield, there is no further legislative business for today or for the balance of this week.

The program of the House of Representatives for next week is as follows:

On Monday the House will meet at noon. It would be a day for suspensions, but there are no bills.

On Tuesday the House will meet at noon. We have one suspension scheduled. House Resolution 9, Reestablishing the Committee on Assassinations, and a second resolution of the House, heretofore unnumbered, which would call for the election of the members of the Committee on the Budget.

On Wednesday, the House again will meet, but not until 8 p.m.

The purpose of that being a joint session of the two Houses to hear the state of the Union address by President Ford.

Thursday and the balance of the week, the House would meet at 11 a.m. There is no legislative business of which I personally have notice, except that I should advise the gentleman from Arizona and the other Members that if the question of gasoline decontrol should be prime for consideration, it would be scheduled; but all Members would be notified in sufficient time.

Beyond that, Mr. Speaker, any further program will be announced later.

Mr. RHODES. Mr. Speaker, I thank the gentleman.

DISPENSING WITH BUSINESS IN ORDER UNDER THE CALENDAR WEDNESDAY RULE ON WEDNESDAY NEXT

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule may be dispensed with on Wednesday next.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

ADJOURNMENT TO MONDAY, JANUARY 10, 1977

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

ADJOURNMENT OF HOUSE ON TUESDAY UNTIL 8 P.M. WEDNESDAY, JANUARY 12, 1977

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent that when the House adjourns on Tuesday, January 11, 1977, that it adjourn to meet at 8 p.m. on Wednesday, January 12, 1977, to hear the state of the Union address by President Ford.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

HOUSE WORK SCHEDULE FOR 1977

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent that I may be permitted to insert in the Record at this point the House schedule for 1977.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The House schedule for 1977 is as follows:

HOUSE SCHEDULE FOR 1977

January 3-February 9: Washington work period: organize House, organize committees, begin hearings on authorization and appropriations bills.

January 17: Receive President's budget.

January 20: Inauguration.

February 10-15: District work period.

(February 12—Lincoln's Birthday)

February 16-April 6: Washington work period: continue hearings and action on legislation.

March 15: Report by all committees to Budget Committee on projections for fiscal year 1978.

April 1: Congressional Budget Office reports to Budget Committee.

April 7-17: District work period.

(April 10: Easter Sunday)

April 15: Deadline for Budget Committee report of first budget resolution.

April 18-May 30: Washington work period: finish hearings and mark-ups in authorizing committees for fiscal year 1978 and in appropriations subcommittees; report all new authorizations by May 15.

May 15: Complete action on first budget resolution.

May 16-26: Consider authorizations on the floor and begin full committee markup for appropriations bills.

May 27-May 31: District work period.

(May 30: Memorial Day.)

June 1-June 30: Washington work period: consider appropriations, bills and authorizations.

July 1-July 9: District work period.

(July 4: Independence Day.)

July 10-August 5: Washington work period: complete appropriations and authorizations as well as other legislation.

August 6-September 6: August recess as provided for in Legislative Reorganization Act of 1970. District business; travel, domestic and foreign; member and family vacation.

(September 5: Labor Day.)

September 7-October 7: Washington work period.

September 12: All spending measures finalized.

September 15: Complete action on second budget resolution.

September 23: Reconciliation resolution completed.

October 1: Fiscal year 1978 begins.

October 8-14: District work period.

(October 10: Columbus Day.)

October 15-November 13: Washington work period.

(October 24: Veterans Day holiday.)

November 19-26: District work period.

(November 24: Thanksgiving Day.)

November 29-December 10: Washington work period.

FLOOR PRIVILEGES OF FORMER MEMBERS AND OFFICERS OF THE HOUSE OF REPRESENTATIVES

The SPEAKER. The Chair will insert at this point in the Record a statement covering the floor privileges of former Members and officers of the House of Representatives. In order that former Members and officers of the House of Representatives will be aware of the floor privileges accorded to them:

Floor Privileges of Former Members and Officers of the House of Representatives

1. Former Members and Officers of the House shall be accorded the privilege of admission to the floor of the House only if they do not have a direct personal or pecuniary interest, as determined by the Speaker, in any legislative measure pending before the House or reported by any committee of the House and only if they are not in the employ of, or do not represent, as determined by the Speaker, any party or organization for the purpose of influencing, directly or indirectly, the passage, defeat, or amendment of any legislative measure pending before the House, reported by any committee of the House or under consideration in any of its committees or subcommittees.

2. Former Members and Officers of the House shall enter the Chamber through the Lobby Doors and shall furnish adequate identification to the doorkeepers. Each former Member and Officer shall be furnished with a copy of these regulations, and with a copy of the proposed House schedule for that day. It is the responsibility of the former Member or Officer to personally ascertain that there is no measure pending in a committee or subcommittee that would prevent his access to the floor under this rule.

3. For the purpose of clause 2 of Rule

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XXXII, legislative measures under consideration in committees and subcommittees shall be those bills and resolutions which either (1) have been called up for consideration in a proper meeting of the full committee or of a subcommittee thereof, or (2) have been the subject of a proper hearing of the full committee or of a subcommittee thereof, whichever first occurs. A measure shall not be deemed under consideration if the committee or subcommittee has finally disposed of the bill or resolution adversely.

4. The provisions of (a) above shall not apply to former Members who are entitled to the privilege of the floor in another capacity under Rule XXXII.

ELECTORAL COLLEGE REFORM

(Mr. MCCLORY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MCCLORY. Mr. Speaker, today has been set aside as the day on which the Congress complies with the requirements of the 12th amendment to the Constitution. Earlier, during the session—as we do every 4 years—the President of the Senate, in the presence of the Senate and the House of Representatives, opens and counts the votes cast by the members of the electoral college.

After witnessing this process once again, it seems to me most appropriate to introduce an amendment to our Constitution which would reform once and for all an outdated and unpopular system of electing a President and Vice President of the United States.

During the first session of the 91st Congress, my colleagues and I on the Judiciary Committee participated in an extensive series of hearings which examined over 50 joint resolutions proposing some alteration in the current method of electing a President and Vice President. With only six members dissenting, the Judiciary Committee reported a joint resolution to the House which was passed in September 1969, by a vote of 339 to 70. Unfortunately, the Senate failed to act on the House-passed constitutional amendment during that Congress. Since that time, the only interest in electoral college reform in Congress was exhibited by the Senate Subcommittee on Constitutional Amendments. During the 94th Congress, this subcommittee, by unanimous vote, reported Senate Joint Resolution 1 to the full Senate Judiciary Committee. No further action on the proposed amendment was taken during the last Congress.

In no less than 14 Presidential elections, we have failed to elect a President who received 50 percent of the popular vote. In 11 of these instances, the candidate who received a plurality of the popular vote did, in fact, obtain a majority of the electoral college vote. More significant, however, are the remaining three cases which resulted in the election of a "minority" President—a candidate who received a smaller number of the popular votes than his closest opponent.

In 1824, the House of Representatives elected John Quincy Adams although Andrew Jackson received more electoral and more popular votes.

In 1876, Rutherford B. Hayes received 250,000 less popular votes than Samuel J. Tilden. After a Congressional Electoral Commission settled several contested returns, Hayes emerged the victor by one electoral vote.

The third example of the election of a minority President occurred during the 1888 Presidential election. Although the incumbent, Grover Cleveland, recorded a 100,000 vote plurality over his closest opponent, Benjamin Harrison, Harrison was elected President with 65 more electoral votes.

There are three primary goals which have prompted me to submit to the House of Representatives this joint resolution. First, the proposed joint resolution will eliminate the problem of the "faithless elector"—a member of the electoral college who does not cast his vote in accord with the results of popular vote in his particular State. Both in 1930 and in 1968, one elector cast his ballot in this manner. Indeed, here today we have found that one elector had proven to be unfaithful to the people he was chosen to represent and has cast his ballot for a candidate who did not receive a majority of the votes in his State.

The evidence is clear that when the Founding Fathers framed our Constitution the intent was that the Presidential electors be selected from a group of the Nation's leaders. By 1828, however, the Congress noted that the electors "have degenerated into mere agents, in a case which requires no agency, and where the agent must be useless, if he is faithful, and dangerous, if he is not." In any event, I suspect that very few people could name the Presidential electors selected by their respective States.

Second, this proposed constitutional amendment provides that 35 per centum of the popular vote will be sufficient for election of the President and Vice President if this figure constitutes a plurality of the total votes cast. If no ticket receives 35 percent of the total votes cast, a runoff election between the two sets of candidates with the most popular votes will result. During the 91st Congress, I supported this 35-percent figure; however, the House adopted 40 percent. My reasons for support of the lower figure are the same today as they were at that time. A general runoff election subsequent to a general popular election of a President should be avoided if possible. Those who have studied this issue report that the 35-percent figure in lieu of the 40 percent of the popular vote could reduce the possibility of a runoff election from 1 in 100 to 1 in 1,000. In addition to the added expense and delay, a runoff election could easily promote to victory the candidate who finished second in the general election.

Finally, it is the intent of this joint resolution to reform the system to insure that the electoral outcome more closely reflects the results of the popular vote. The results of a direct election, as provided for in the resolution, would reflect more accurately the preference of the voters. For example, Franklin Roosevelt in 1936 won 60 percent of the

popular vote, but recorded 68 percent of the electoral votes by winning all the States except Vermont and Maine. While this procedure would certainly eliminate the appearance of a landslide victory, the problem of "minority" Presidents would be alleviated as well. In addition to the cases cited above, it should be pointed out that if in the recent Presidential election—or any future such elections—one of the candidates should receive a plurality of 5 million or more votes—and yet should lose to another candidate who receives a majority of the votes in the electoral college—I fear that the Nation would face a grave crisis. The evidence shows that both the people and the Congress support reform. I urge my colleagues and the new administration to think seriously about acting to erase the grave possibility that these concerns will be with us again during the 1980 election. The time to act is now—with decisiveness—and finally.

SHOULD WE CONTINUE THE ASSASSINATION COMMITTEE?

The SPEAKER. Under a previous order of the House, the gentleman from Maryland (Mr. BAUMAN) is recognized for 15 minutes.

Mr. BAUMAN. Mr. Speaker, on last Tuesday, January 4, 1977, I objected to a unanimous-consent request to consider a resolution which would have extended for 3 months the powers and life of the Select Committee on Assassinations. This select committee was created by the House on September 17, 1976, by a vote of 280 in favor to 84 against. I was one of those who supported the creation of the select committee at that time.

I am well aware that most polls show that a majority of Americans do not believe all the findings of the Warren Commission. I know, as most Members do, that substantial questions remain about the Kennedy assassination, and about the assassination of Dr. Martin Luther King. These questions should be properly resolved.

It was my impression that the Select Committee on Assassinations as described in debate on September 17 was to conduct a full and fair investigation into these two tragic deaths. The end result was to be a definitive report or series of reports which would lay to rest the many questions that remain. Obviously such an undertaking requires a very careful and judicious approach because of the highly controversial nature of the subject matter.

Since the time the committee was created and its chief counsel, Richard A. Sprague, was appointed, I have become increasingly apprehensive about the direction this group is taking.

First of all, Mr. Sprague, in a series of public statements, television appearances, interviews and newspaper articles, has virtually assumed the role of chairman of the committee. It is customary in the House for Members of Congress to speak for legislative or select committees, but Mr. Sprague has arrogated this role unto himself even to the point of apparently announcing policy decisions

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such as the direction of the investigation and the ground rules which will govern it.

At the same time, he has been constructing what I am sure he considers to be a good case for his proposal to spend more than \$13 million over a 2-year period and to hire more than 170 staff members to conduct this investigation.

Mr. Speaker, I was under the impression that this investigation was going to tie up loose ends, resolve questions still remaining, and fill in the gaps of previous investigations. Now we are told by Mr. Sprague as he stated before the Republican conference last Monday, that the investigation will probably go so far as to place on trial the CIA and the FBI, and each agency's role in investigating these two deaths. In so doing, Mr. Sprague seems to assume that both of these agencies have committed wrongs and are not to be trusted in regard to this new investigation. Over the past several weeks, the public has been treated in the press to numerous sensational statements and charges from Mr. Sprague and a few members of the committee, many of them highly interesting, but most of them unsupported by any evidence. All of them seem designed to justify the continued existence of the committee.

Mr. Speaker, it is my belief that the House should know precisely what the scope of the investigation to be conducted by the Select Committee on Assassinations is to be. We should know who the new chairman is going to be, and who the members will be once the committee is reconstituted in this Congress if indeed it is. We should certainly question seriously the enormous amount of money and the size of the staff proposed. This staff and the money involved exceeds almost every other committee in the House today. It is more than was spent for the Watergate investigation or for the impeachment inquiry. And the question inevitably arises whether an investigation of such scope and magnitude is truly necessary. I have my serious doubts that it is necessary especially in view of the manner in which it has been conducted so far.

Mr. Speaker, other Members of the House have also expressed concern about the proposals that Mr. Sprague has made for the procedures which will be used in this investigation. At this point, I insert in the Record a letter from our colleague, the Honorable Don Edwards, chairman of the Subcommittee on Civil and Constitutional Rights of the Committee on the Judiciary which points out some shocking statements made by Mr. Sprague in an interview in the Los Angeles Times on December 15, 1976. I urge my colleagues to read the gentleman from California's letter carefully and consider whether this is what they wish to endorse by their votes.

The letter follows:

WASHINGTON, D.C.,
December 16, 1976.

HON. THOMAS N. DOWNER,
Chairman, Select Committee on Assassinations,
Rayburn House Office Building,
Washington, D.C.

DEAR TOM: Recent statements to the press by staff director Richard A. Sprague raise

some grave questions as to the procedures he has announced for the Select Committee's investigations. I would most respectfully like to call some of my concerns to your attention so that you might share them with your Members.

I am sure there will be strenuous Congressional and public objection to Mr. Sprague's plans. One statement is that the Committee will, as outlined in an article in the December 15, 1976 Los Angeles Times, "purchase two tiny transmitters that can be hidden in the clothing of an investigator during the questioning of a potential witness. When combined with the stress evaluator, this device will permit the Committee to subject individuals to secret lie detector tests." Such procedures, are, to say the least, totally inappropriate for use by a Congressional Committee. This would constitute intentional invasions of the most fundamental rights of American citizens. I believe the use of these techniques by a Committee of Congress to be wrong, immoral, and very likely illegal.

Most courts do not admit polygraph or other "truth testing" evidence. I don't believe Congress can or should adopt a lower standard than employed by the Courts to arrive at the truth.

The FBI employs polygraphs on a very limited scale, only with the subject's written consent and never for employment purposes. The CIA and NSA use the polygraph for employment screening on a completely voluntary basis. Legislation is pending in my Subcommittee to prohibit such use both in and out of government, and I am sure similar legislation will be introduced in the next session. We are currently gathering information, both legal and technical, on this unproven technique and hope to have some valid recommendations in the coming year.

For all of the above reasons, I request that very serious consideration be given by you and the Full Committee to each investigative technique to be employed by your staff. To have your work tainted by disreputable methods would be unfortunate. Can you imagine the public and Congressional outcry if the FBI were to use the investigative techniques outlined in the cited article? If your Committee cannot resolve all the issues by traditional legal and court tested methods, then so be it. The impeachment proceedings showed that our system, employing institutional safeguards and traditions, can thwart those who decide to employ unorthodox approaches to their own goals.

One other area of deep concern for me appearing in the same article is Mr. Sprague's statement that "the Committee would make public—chiefly through public hearings—the information that it develops, even if the disclosures might affect individuals or government agencies only indirectly connected to the murders."

If the above procedure is actually to be employed, it seems to me that you run the risk that innocent persons might well be subjected to criticism or worse, when they have no reasonable connection with, or involvement in, the tragedies. Further, such persons would not have those rights to relief which exist for a citizen subjected to such unwarranted vilification from other than a Committee of Congress. A Congressional Committee must set much higher standards in protecting the rights of privacy of citizens, since the protections afforded in our civil and criminal justice systems do not exist in a Congressional hearing room.

It was the intention of the House of Representatives to have the Select Committee conduct a responsible, thorough investigation of the two assassinations. And when the investigations are completed, thoroughly documented reports should be published, informing the American people and indeed the world, of the conclusions of the Members of the Subcommittee.

It is not appropriate for staff (Mr. Sprague), to state that "his staff has disor-

ered withheld information from the (Warren) Commission in addition to the previously disclosed situations." If the Committee has such information, it should be made available to the public by the Chairman of the Committee after Full Committee debate and approval. Veiled staff warnings that sensational disclosures are forthcoming serve only to disturb and confuse the public.

Lastly, I must respectfully suggest that from an institutional point of view, it is customary in the House of Representatives that the spokesperson for any Committee should be its Chairman or an elected Member and not one of the staff.

I am sure that with its distinguished Chairman, and Members, the Select Committee will do its important work in accordance with the highest standards of Congressional Committee conduct. I appreciate your consideration of the serious problems outlined in this letter and in the friendly, yet concerned, spirit with which they are transmitted. I hope you can provide me with the necessary assurances as soon as your schedule allows.

Kind personal regards,
Sincerely,

DON EDWARDS,

Chairman, Subcommittee on
Civil and Constitutional Rights

Mr. Speaker, we also should have full information regarding the scope of the investigation, and those who will conduct it. For those of you who did not read it, I am inserting in the Record at close of my remarks an article by Mr. David Burnham of the New York Times which appeared last Sunday, January 2, 1977. It details the past record of the chief counsel of the select committee, Mr. Sprague, giving both charges made against him in a number of instances and his response to those charges. Certainly, it is not my duty to pass judgment on the charges, but it is the duty of each of us to have a full understanding of Mr. Sprague's background prior to our vote.

Mr. Speaker, next Tuesday, January 11, the majority leadership will bring up under suspension a resolution continuing the life of the Select Committee on Assassinations for 3 months. I do not believe that an issue of this seriousness should be treated under suspension where no amendments are allowed and only 20 minutes debate is permitted on each side. We were told that the new suspension procedure permitted by the amended rules would not be used for controversial matters. Certainly this is a controversial matter. The House should be allowed full debate on this matter. I know that I am receiving many complaints from taxpayers about the scope and cost of this investigation.

Last, Mr. Speaker, we should be able to consider the continuation of this committee in a more deliberate manner so that we can write restrictions on its jurisdiction and procedures, and so that we can be sure that its staff is properly selected and equipped to conduct this investigation.

I hope that my colleagues will consider these facts prior to casting their vote on this matter.

The article follows:

COUNCIL IN ASSASSINATION INQUIRY OFFER
TARGET OF CRITICISM
(By David Burnham)

WASHINGTON, January 1.—The chief counsel and director of the House committee in-

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investigating the assassinations of President Kennedy and the Rev. Dr. Martin Luther King Jr. is a former prosecutor whose judgment and actions have been subject to formal criticism on a number of occasions.

According to Representative Thomas H. Downing, chairman of the House Select Committee on Assassinations, the controversial background of Richard A. Sprague, the committee's chief counsel, was unknown to Congress when he was selected for the politically sensitive job of re-examining the conclusions of the previous investigations of the two killings.

The committee was established on Sept. 17 and Mr. Sprague's selection was announced two weeks later. Functioning for the last three months on a \$150,000 budget, the committee now has a staff of 68 lawyers, investigators and technicians.

With the release yesterday of an interim report describing what it called important new possible leads, Mr. Sprague and the members of the committee hope to persuade the House to provide at least \$13-million for a two-year investigation by a staff of 170.

OPPOSITION TO INQUIRY

However, there is some opposition in the House of Representatives to the committee and some doubt about the need for the re-investigation and the size of the proposed budget. Mr. Sprague's controversial record could affect the House debate over the committee's future.

Mr. Sprague won wide acclaim for his successful prosecution of the killers of Joseph A. Yablonski, the United Mine Workers insurgent leader, and his family, and for the conviction of scores of other murderers in his 18-year career in the office of the Philadelphia District Attorney.

In a two-and-a-half-hour interview in the committee's office this week, Mr. Sprague described himself as a dedicated public servant and said that most of the criticisms of him were a result of the highly tumultuous nature of Pennsylvania politics.

But an examination of official reports and records and interviews with a number of Philadelphians has uncovered at least five situations in which Mr. Sprague's official and unofficial actions have been faulted by the Pennsylvania Supreme Court, the Attorney General of Pennsylvania, the Pennsylvania Crime Commission and elected officials.

Three years ago, for example, the Pennsylvania Attorney General issued a two-inch thick report on Mr. Sprague's handling of a homicide case in which the son of a good friend was involved in a dispute leading to the death of a man named John Russell Applegate.

PROBLEMS ARE CITED

"It is unfortunate that various matters were not properly pursued in 1963 immediately after the death of Applegate," the 1976 report concluded, citing unresolved conflicts in the testimony of key participants, additional witnesses who were not interviewed, an incomplete fingerprint search at the death scene and faulty lie-detector and blood tests.

A second controversial case involved a Philadelphia detective who worked as Mr. Sprague's chief investigator and who once trailed the husband of Mr. Sprague's girlfriend to what was alleged to be a motel rendezvous with another woman. The detective testified under oath in a divorce proceeding that he had undertaken the clandestine spying on his own time and without pay but at the request of Mr. Sprague.

Two years later, the Supreme Court issued a decision involving the same domestic squabble in which Mr. Sprague was said to have done in his office much of the legal work that led to the arrest for contempt of court of the same man who had been followed by the detective.

The court's 1966 decision characterized the contempt of court action that led to the arrest of this man as a "gross injustice" and said that the legal proceedings "were sorely lacking in due process."

U.S. AGENCY CRITICISM

Concerning Mr. Sprague's administrative abilities, the Citizens Crime Commission of Philadelphia made public two years ago a 60-page report on the Philadelphia prosecutors office that had been compiled by Charles Rogovin, a criminal justice consultant, under a grant from the United States Law Enforcement Assistance Administration.

"The principal impressions received during the initial review of this office were an inordinate concentration of authority in the first assistant district attorney, Mr. Sprague, a lack of necessary delegations of authority to division chiefs and very serious deficiencies in administration throughout the entire organization," Mr. Rogovin concluded.

Representative Downing, the head of the select committee, said in response to a detailed inquiry that he tended "to think that Mr. Sprague's overall qualifications minimized any indiscretions he may have made during his career."

NO BACKGROUND INVESTIGATION

Mr. Downing, a Virginia Democrat who will retire from Congress next week, acknowledged that he had never heard of the various official criticisms concerning Mr. Sprague and that Mr. Sprague had been selected as chief counsel without a background investigation.

Mr. Downing said that, based on his experience in working with Mr. Sprague over the last three months, he was convinced the former prosecutor would make "a great contribution to the committee's effort."

He said he had selected Mr. Sprague from a list of about six candidates after an interview. A number of members of the committee apparently helped in the preparation of the final list, but neither Mr. Downing nor Representative Henry B. Gonzalez, the Texas Democrat who is expected to be named the next chairman, could remember who specifically recommended Mr. Sprague.

Mark Lane, one of the leading critics of the official explanation of President Kennedy's assassination, has said that he recommended Mr. Sprague. One committee source, however, said that the Philadelphia prosecutor had been suggested by several Congressmen.

In addition to Mr. Sprague's general defense of his reputation, the former prosecutor offered detailed explanations of each of the criticisms of his actions that he contended showed the criticisms were groundless.

Concerning the criticism of his handling of the murder case involving the son of a friend, for example, Mr. Sprague argued that the alleged failure to make an adequate investigation should have been directed by the Attorney General's report at the Philadelphia police and not himself, even though he was in charge of both the individual case and the District Attorney's homicide squad.

According to the Attorney General's report on the affair Mr. Sprague personally recommended that no charges be brought against Bruce Urell Jr. and Donald P. Sealless, then students at LaSalle College, in the death of Mr. Applegate.

The report quoted Mr. Sprague as saying that he had handled the case at the request of Mr. Urell's father, a close friend who at that time was a captain in the Pennsylvania state police.

Louis Vigoda, at the time a district magistrate, said that because he was not a lawyer he had relied on Mr. Sprague's recommendation that there was insufficient evidence to bring a murder charge in the case.

Mr. Sprague, according to the report, said that he did not believe it was improper for him to have handled this case because what the State Attorney General's report now describes as a faulty police investigation had not found any evidence that the son of his friend had contributed to Mr. Applegate's death.

DOMESTIC CASE EXPLAINED

Concerning his actions regarding the former husband of his girlfriend, Mr. Sprague said that he now understands how the use of a county detective, even if voluntary, might be subject to misunderstanding.

"Thinking of it subsequently, I don't think there was anything wrong with my action but it would have been wiser perhaps to have hired a private investigator," he said.

But Mr. Sprague defended his role in helping his friend obtain a contempt of court citation and criticized the Pennsylvania Supreme Court on the grounds that it had issued its opinion in the case without giving either him or the judge who signed the contempt citation an opportunity to make their case.

As for the report by the Citizens Crime Commission of Philadelphia, Mr. Sprague dismissed it as a substantively weak and politically motivated document whose publication had been arranged by the present Philadelphia District Attorney P. Emmett Fitzpatrick, with whom he had many disputes.

OTHER CASES IN DISPUTE

A number of other actions of Mr. Sprague have been questioned or criticized. On May 25, 1972, for example, the Philadelphia District Attorney's office charged Gregory P. Walter, one of that city's leading investigative reporters, with recording his own telephone conversations without informing the persons to whom he was talking.

Mr. Sprague, then the busy first assistant district attorney, personally handled the prosecution of Mr. Walter in the misdeemeanor court. It resulted in a conviction and a \$250 fine. Mr. Walter's lawyer, Gregory M. Harvey, argued that because the Philadelphia police and the department routinely recorded all telephone calls without informing the callers, the case appeared to represent selective enforcement of an unusual Pennsylvania law.

The case against Mr. Walter was "terminated" by agreement between his lawyer and the district attorney after it was appealed to the next court.

In an unusual disposition, the misdeemeanor conviction and associated fine were "terminated" by the district attorney after Mr. Walter appealed his case.

Mr. Sprague said the decision to prosecute Mr. Walter, who was working on a major story about police corruption, was made by Arlen Specter, then the District Attorney and that he had personally handled the prosecution in the lower court at the specific request of Mr. Specter.

Several months later, on April 19, 1973, Mr. Sprague brought a \$2 million libel suit against The Philadelphia Inquirer, Mr. Walter and several other reporters and editor for a series of articles about his handling of the Applegate murder. This action is still pending.

CITIZENS COMMISSION CRITICISM

During the summer of 1973, the Pennsylvania Crime Commission, controlled by a Democratic administration of Gov. M. J. Ryan, issued a report charging widespread political corruption in Delaware County. Republican stronghold. On Sept. 24, 1973, Stephen McEwen Jr., the Delaware County District Attorney, announced the appointment of Mr. Sprague as a special prosecutor to look into the allegations of corruption.

On June 30, 1974, the crime commission issued another report charging that "deep

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possessing extensive records of what appears to be systematic forced political contributions by county officials. Mr. Sprague has issued no criminal charges and has not yet even reported on the results of his investigation despite the passage of nearly three years."

Four months later, on Oct. 18, Mr. Sprague issued his own 86-page report, denouncing the crime commission for denouncing him and accusing the commission of refusing to cooperate with his investigation of Delaware County, done with the assistance of two detectives and two assistant district attorneys from Philadelphia and volunteer law students.

During his interview, Mr. Sprague said that his investigation and report on Delaware County had been delayed because he at the same time was serving as special prosecutor in the Yablonski killing and as first assistant district attorney in Philadelphia.

On Feb. 24, 1967, Paul Delahanty was found not guilty of homicide in a Philadelphia courtroom. The principal reason for the decision: a Police Department evidence expert named Agnes Bell Malatrat, who had repeatedly testified as a professional witness for the Philadelphia District Attorney's office, had been discovered to have lied about her qualifications and training.

Both Mr. Sprague and the special prosecutor, then the Philadelphia District Attorney, unsuccessfully argued that the statements by Mrs. Malatrat were of no importance because she was in fact an expert witness.

Even Mr. Sprague's string of convictions in the Yablonski murders has not been free from criticism. Although the special prosecutor is widely praised for dogged detective work and brilliant courtroom tactics in the long series of state and Federal trials, their expense did become an issue.

According to Frank Mascara, the newly elected comptroller in Washington County, Pa., one reason he won the Democratic primary earlier this year was his criticism of his opponent—who had held the position for 20 years—for approving the \$440,000 expense of the trials.

"Sprague wasn't very careful with the money during the first trial and I raised hell about it," said Mr. Mascara in a recent interview. "They would say you can't put a price tag on justice and I would say baloney. You can have justice in a frugal manner."

Mr. Sprague, in his interview, denied that the cost of the trials was in any way extravagant and pointed out that the state ultimately had refunded most of the county's expenditures for the prosecution. He also noted that the county prosecutor who had asked him to be special prosecutor, unlike the comptroller, was re-elected. But the select committee's estimate that its investigation will cost at least \$18 million has already been criticized as extravagant by several members of Congress.

"There is a price to being a public official, to being in the goldfish bowl, but it doesn't mean you have to be subject to smears and distortions," Mr. Sprague said at the end of the interview.

"I do feel the public in general does not have dedicated people serving in the public interest. But I happen to think I have been a good public servant," he said.

RECENT DISTRICT COURT DECISIONS INVOLVING THE CONSTITUTIONALITY OF OSHA SECTION 8(a) UNDER THE FOURTH AMENDMENT

The SPEAKER. Under a previous order of the House, the gentleman from Wisconsin (Mr. Stenger) is recognized for 15 minutes.

Mr. STEIGER. Mr. Speaker, on the last business day of 1976 a three-judge Fed-

eral district court in Boise, Idaho issued a decision purporting to declare the inspection provision of the Occupational Safety and Health Act of 1970 "unconstitutional and void in that it directly offends against the prohibitions of the Fourth Amendment" and to enjoin the Secretary of Labor "forever and permanently . . . from acting or attempting to act pursuant to or in furtherance of Section 8(a) of OSHA . . . and from conducting or attempting to conduct any general . . . inspections of the non-public portions of the premises of the plaintiff herein pursuant to Section 8(a)."

That decision is Barlow's against Usery; it came about when Barlow's refused to obey a previous court order to permit reasonably limited OSHA inspections "without delay" under the statute; and it appears to go far beyond other decisions on this OSHA issue. In two of those decisions, Buckeye Industries and Able Contractors, district courts in Georgia and Montana flatly rejected identical fourth amendment arguments, finding warrantless civil workplace inspections for job safety and health purposes constitutional. In two others, Gibson's Products and Hertzler, district courts in Texas and New Mexico indicated their belief that OSHA inspections without warrants based on grounds to believe safety violations were present raised fourth amendment problems, but avoided those problems by interpreting the act to require a flexible showing of "administrative probable cause" where inspection was not permitted by the employer.

Unlike Gibson's and Hertzler—which clearly permitted OSHA to continue to inspect workplaces, though creating their own difficulties—the Barlow's order appears to halt all inspections, with or without warrants or even clear proof that severe violations have occurred. In light of claims from some quarters that this decision has "repealed OSHA" or put it "out of business," I think it important to set the record straight by noting its limited effect, avoiding irresponsible actions by employers tempted by those claims.

First, it is of course true that any order restricting OSHA's ability to inspect harms safety and health enforcement, since the right to make unannounced inspections is the cornerstone of the act. But Barlow's is simply a district court order like any other. It is not the final word on the subject; it is not a pronouncement of the Supreme Court. That it came from a district court of three judges rather than a single judge does not change this fact, for it is the law that apart from their narrowly-drawn power to issue constitutional injunctions, three-judge courts have no more authority than ordinary ones. In particular, there is precedent to the effect that injunctions issued by district courts may not run beyond the geographical boundaries of their districts. And while the law is not free from doubt, that result seems supported by powerful logic where a private party seeks injunctions against the Government which might run head-on against contrary results reached by other courts of equal

stature if applied beyond the issuing court's district. Without such a limit, any district court could simply nullify rulings of numerous other district or circuit courts which had passed on the same issue, merely by issuing its own order. That is the function of the Supreme Court rather than a district court; and that is precisely what the three-judge court statute was passed to prevent. Thus, it is doubtful that Barlow's affects any inspections beyond Idaho, even if it affects other Idaho employers for whom no relief was ever sought.

Second, and more importantly, because the Idaho court issued an injunction against the act on pure constitutional grounds, the Government is entitled to a direct appeal to the Supreme Court which will bypass the court of appeals and permit swift authoritative resolution of this issue. The Government may also move to suspend the Barlow's order pending Supreme Court decision, since the normal rule is that the status quo created by Congress must be preserved until the High Court decides whether the district court's order should stand. It is my understanding that the Secretary has already asked the Idaho court for such a suspension, which is normally granted in a routine manner in these types of cases. It is also my understanding that the Secretary intends, pending the Solicitor General's approval, to file an immediate appeal and expedite it for possible Supreme Court resolution this term. That appeal will suspend indefinitely the circuit court proceedings in Gibson's and Hertzler, since those courts will not decide an issue which is before the Supreme Court. And if, as is likely, the district court's order is suspended until the High Court decides, it will have no practical effect before then. Inspections to protect employees exposed to unsafe or unhealthy working conditions will proceed in Idaho as well as elsewhere, exactly as they have always proceeded.

In short, this decision is simply the first step in the constitutional decision process, just as an OSHA administrative law judge's decision is the first step in the act's decision process. It is equally tentative, equally subject to reversal; and it has neither erased section 8(a) nor "repealed" the statute. Practically speaking, nothing will have been decided until the Supreme Court decides. The Idaho order is merely a vehicle for Supreme Court decision; and employers would be ill-advised to act on the assumption that their obligations to afford employees safe work and workplaces have somehow been diluted or removed.

Third, it is important to note that warrantless civil inspections are both absolutely essential to this act's enforcement and a long-standing Federal practice. OSHA inspections do not depart in any degree from American custom. Identical provisions for warrantless civil inspections of business premises have been commonplace for at least the 70 years since passage of the Railroad Safety Appliance Act of 1908, and have been consistently upheld by the courts as applied to almost every aspect of American

industry, including manufacture and sale of foods, pesticides, drugs and cosmetics, railroads, mining, taxation, atomic power, pollution and gun control, marine operations, use of hazardous substances, and labor standards.

When we passed this act we not only acknowledged that similar inspection authority was essential by proscribing advance notice of inspections and stating that such warnings had virtually nullified enforcement of other safety statutes. We admitted as much by unanimous action as well as words, for no bill was introduced, reported, or passed in either House which did not include such authority. The eighth circuit court of appeals has most recently summarized the legislative history, concluding that "prompt, unannounced inspections without delay" are central to OSHA's success, both to "prevent subversion of the program and encourage consistent compliance." *Usery v. Godfrey Brake & Supply Service* (Nov. 19, 1970). And the fact remains that any requirement which would permit employers to turn inspectors away during lengthy warrant proceedings, thus securing time to temporarily conceal or "clean up" safety and health hazards, would make this carefully-considered scheme virtually powerless to reach many injurious working conditions.

This is especially true because the effect of any employer's insistence on a warrant would rapidly multiply, since his competitors would also be forced to refuse to permit inspections. Otherwise they would be saddled with safety costs their competition could easily evade.

Thus, as one court has noted, requiring search warrants under OSHA "would serve to destroy the objects of the legislation." If Congress cannot regulate safety and health without such restrictions, it cannot really regulate at all. Given the controlling fourth amendment test of whether the means chosen by Congress are "reasonable"; the urgent Federal human and economic interest in preventing the enormous drain on this society caused by the \$8 billion annual cost of workplace deaths, injuries and illnesses to nearly 8 million employees each year; and the relatively low privacy interests of employers whose workplaces are open every day to all their employees, I cannot believe the fourth amendment mandates that result.

Finally, a brief word about the quality of the Barlow's and Gibson's decisions themselves is appropriate. I do not speak to the correctness of those courts' results, which is for the Supreme Court to determine. But the reasoning, or lack of reasoning, by which those results were reached is a cause for legitimate concern. To mention just two examples, of dubious analysis, the Supreme Court cases on which the district courts chiefly relied, *Camara* against Municipal Court and *See* against Seattle, involved only municipal ordinances and expressly refused to decide whether similar fourth amendment requirements would be imposed on nationwide Federal statutes whose enforcement might be hampered by such restrictions.

Yet the district courts briefly assumed those Supreme Court cases were controlling. In the very situation the High Court said they were not. The district courts also relied on two other Supreme Court decisions, *Western Alfalfa* and *Almeida-Sanchez*, which respectively refused to extend the fourth amendment in any way to certain federally approved administrative inspections, and involved unlimited semicriminal searches very different from those under OSHA. Yet those courts neither acknowledged these significant differences nor deigned, except in the most summary way, to mention other cases, restricting *Almeida-Sanchez*, indicating that business premises are entitled to much less fourth amendment protection than private homes, and approving identical inspections under other Federal statutes. Since especially in constitutional matters the courts' duties are to reconcile such decisions within the bounds set by existing precedent, I would hope that regardless of the eventual result, more reasoned reflection will be given this important issue when the Barlow's order is evaluated on appeal.

It is worth repeating that the Barlow's court would apparently have found section 8(a) acceptable if it required warrants based on probable cause where permission to inspect was denied by employers. But if the fourth amendment requires such restrictions despite the act's existing limitation of civil OSHA inspections to reasonable times, places, and manners directly connected to job-related hazards, it has stripped Congress of all power to effectively regulate dangers which are necessarily transient and in the main easily concealed or made order proof if a foreman is aware an inspector is about to arrive. The Constitution created a Federal Government of limited powers, but no powers where the important right to work without being killed, maimed, or otherwise disabled is involved.

GENERAL LEAVE

Mr. STEIGER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the subject of my special order today, the Occupational Safety and Health Act of 1970 and the court decisions.

The SPEAKER pro tempore (Mr. DANIELSON). Is there objection to the request of the gentleman from Wisconsin? There was no objection.

SERIOUS QUESTIONS ABOUT ELECTORAL COLLEGE SYSTEM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington (Mr. PRITCHARD) is recognized for 5 minutes.

Mr. PRITCHARD. Mr. Speaker, I would like to take this opportunity to single out a misguided action by one of the Washington State electors that highlights one of the weaknesses of the electoral college system.

This elector chose not to cast his vote

for the candidate nominated by the Republican Party for President and favored by a majority of the Washington State voters in the November election. Rather, he cast his ballot for Governor Reagan. I believe this action violated the trust of the people of Washington State who cast their vote for President on November 2, and is a perversion of the electoral college system.

This action is not unprecedented in the history of the electoral college, but it again raises serious questions about the dangers and potential for abuse in the electoral college as currently constituted. At the very least, steps should be taken before the next Presidential election to bind electors to cast their ballots in accordance with the majority of the voters in each respective State.

THE FUTURE OF THE AMERICAN CITY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin (Mr. REUSS) is recognized for 30 minutes.

Mr. REUSS. Mr. Speaker, today I gave a talk to the National Women's Democratic Club here in Washington entitled "Does the City of the Future Have a Future?"

The text follows:

DOES THE CITY OF THE FUTURE HAVE A FUTURE?

For the American city, it may turn out to have been darkest just before the dawn.

In-migration of the rural poor to the central city is tapering off, and cities are becoming increasingly attractive to the more affluent. Financial institutions and other groups in many communities are working together to prevent older neighborhoods from falling into decay.

More important, the cities can expect to receive heightened attention from the federal government. President-elect Carter and the new Democratic Congress see their mandate largely to a constituency concerned about urban joblessness and decay.

Still, all is not well. Jobs continue to move to the suburbs and beyond. Service needs of city residents and the cost of government operation increase, while the tax base erodes. Many cities face severe financial difficulties as a consequence. The fragmentation and proliferation of jurisdictions within a metropolitan area artificially separate the functional city—the entire metropolitan area—from the legal city. As a result, the substantial wealth which exists in the suburbs surrounding central cities remains unavailable and untapped.

Last September the House Banking Committee held two weeks of hearings on the future of our cities. I am personally convinced that the future of the American city is not as bleak and dreary as many have prophesied. It is within our own power—if we have the wit and the will—to see to it that the American city survives and flourishes as a viable economic entity, as a livable residential community, and as the cultural center of our civilization.

A coherent national urban policy which provides the framework for federal approaches to city problems, and for the coordination of federal, state, local, and private sector activities, ought to be a starting point for our efforts. Only with a national urban policy in place can the federal government determine how its programs in housing, transportation, regional planning, open space, public works, manpower, state local

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regard to these tribes and urge its enactment. The bill is effective as of October 1, 1977.

(Mr. FRENZEL asked and was given permission to revise and extend his remarks.)

Mr. FRENZEL. Mr. Speaker, I thank the chairman for this description of the bill.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oregon?

Mr. ASHBROOK. Mr. Speaker, reserving the right to object, and I will at the present time, I merely say to my friend, the chairman of the Committee on Ways and Means, that there are many of us who are concerned about 35 lines that appeared in the CONGRESSIONAL RECORD yesterday. The 35 lines refer to an objection to a provision that would have provided a credit for tuition on income tax returns.

Mr. Speaker, parliamentary niceties prohibit me from really saying what I think about that; but suffice it to say, I will object to any unanimous-consent request by the Committee on Ways and Means during the remainder of the session. If we cannot get any relief to these millions of people on that necessary tax credit measure, I do not believe we should permit any further unanimous-consent requests by the Ways and Means Committee.

Mr. Speaker, on that point, I do object. The SPEAKER pro tempore. Objection is heard.

PROVIDING FUNDS FOR EXPENSES OF SELECT COMMITTEE ON ASSASSINATIONS

Mr. THOMPSON. Mr. Speaker, by objection of the Committee on House Administration, I call up House Resolution 1557 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That (effective September 17, 1976) expenses of investigations and studies to be conducted by the Select Committee on Assassinations, acting as a whole or by subcommittee, not to exceed \$207,500, including expenditures for the employment of investigators, attorneys, and clerical and other assistants, and for the procurement of services of individual consultants or organizations thereof pursuant to section 202(1) of the Legislative Reorganization Act of 1946, as amended (2 U.S.C. 72a(1)), shall be paid out of the contingent fund of the House on vouchers authorized by such committee, signed by the chairman of such committee, and approved by the Committee on House Administration. Not to exceed \$30,000 of the total amount provided by this resolution may be used to procure the temporary or intermittent services of individual consultants or organizations thereof pursuant to section 202(1) of the Legislative Reorganization Act of 1946, as amended (2 U.S.C. 72a(1)); but this monetary limitation on the procurement of such services shall not prevent the use of such funds for any other authorized purpose.

Sec. 2. No part of the funds authorized by this resolution shall be available for expenditure in connection with the study or in-

vestigation of any subject which is being investigated for the same purpose by any other committee of the House, and the chairman of the Select Committee on Assassinations shall furnish the Committee on House Administration information with respect to any study or investigation intended to be financed from such funds.

Sec. 3. Funds authorized by this resolution shall be expended pursuant to regulations established by the Committee on House Administration in accordance with existing law.

Mr. THOMPSON (during the reading). Mr. Speaker, I ask unanimous consent that the resolution be considered as read and printed in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

COMMITTEE AMENDMENT

The SPEAKER pro tempore. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment: Strike all after "Resolved," and insert:

Resolved, That (effective September 17, 1976) expenses of investigations and studies to be conducted by the Select Committee on Assassinations, acting as a whole or by subcommittee, not to exceed \$207,500, including expenditures for the employment of investigators, attorneys, and clerical and other assistants, and for the procurement of services of individual consultants or organizations thereof pursuant to section 202(1) of the Legislative Reorganization Act of 1946, as amended (2 U.S.C. 72a(1)), shall be paid out of the contingent fund of the House on vouchers authorized by such committee, signed by the chairman of such committee, and approved by the Committee on House Administration. Not to exceed \$30,000 of the total amount provided by this resolution may be used to procure the temporary or intermittent services of individual consultants or organizations thereof pursuant to section 202(1) of the Legislative Reorganization Act of 1946, as amended (2 U.S.C. 72a(1)); but this monetary limitation on the procurement of such services shall not prevent the use of such funds for any other authorized purpose.

Sec. 2. No part of the funds authorized by this resolution shall be available for expenditure in connection with the study or investigation of any subject which is being investigated for the same purpose by any other committee of the House, and the chairman of the Select Committee on Assassinations shall furnish the Committee on House Administration information with respect to any study or investigation intended to be financed from such funds.

Sec. 3. Funds authorized by this resolution shall be expended pursuant to regulations established by the Committee on House Administration in accordance with existing law.

Mr. THOMPSON (during the reading). Mr. Speaker, I ask unanimous consent that the committee amendment be considered as read and printed in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

(Mr. THOMPSON asked and was given permission to revise and extend his remarks.)

Mr. THOMPSON. Mr. Speaker, on September 23, the Honorable THOMAS DOWNING, chairman of the Select Com-

mittee on Assassinations, and the Honorable SAMUEL DEVINE, ranking minority member, appeared before the committee and testified in support of House Resolution 1540. The committee inquired into the staffing and administrative needs of Chairman DOWNING's new select committee, and determined that the amount of \$150,000 was an appropriate level of authorization. This amount is \$57,000 less than the amount requested. I believe it is fair, and the committee deemed it adequate.

Mr. BAUMAN. Mr. Speaker, will the gentleman yield for a question?

Mr. THOMPSON. I yield for debate only to my friend from Maryland.

Mr. BAUMAN. I thank the gentleman. I supported the creation of this committee with some misgivings, but nevertheless I know it is an issue that many people feel strongly about, and hopefully we will get it settled. However, this committee will only exist for a little over 2 months. It seems to me that \$150,000 is an inordinate amount of money for 2 months' operation when part of those 2 months will be taken up in a general election. Members certainly will not be available during the month of October, so it comes down to, roughly, not more than 6 weeks.

I have just gone through the organization of the Commission on Administrative Review, and we certainly have not, in 2 months' time, been able to organize our staff beyond four or five employees. I think perhaps our duties are just as arduous. I do not question the need for some funding but it just seems to me that it is going too far in too short a time and perhaps we ought to wait until January.

Mr. THOMPSON. I can understand the gentleman's reservation. We had some also until the gentleman from Virginia (Mr. DOWNING) and the gentleman from Ohio (Mr. DEVINE) came before the committee, were questioned extensively by each and every Member present on the committee. If the gentleman will refer to the report on page 3, there is a budget summary and anticipated staff.

Essentially, I will say to the gentleman from Maryland that the very largest part of this expenditure will be the gathering together, the employment of staff and the beginning of investigations and the taking of what is considered by the Committee on House Administration and by the select committee to be a very badly needed series of testimony at the earliest possible time. The gentleman is correct that it will expire. It will have to be reconstituted and refinanced.

If there is any carryover—and the gentleman from Ohio and the gentleman from Virginia are not famous as big spenders—that carryover will revert to the Treasury I would, therefore, surmise that this is appropriate, especially in light of the considerable amount of attention paid to it.

The committee amendment was agreed to.

Mr. THOMPSON. Mr. Speaker, I move the previous question on the resolution. The previous question was ordered. The resolution was agreed to. A motion to reconsider was laid on the table.

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PROVIDING ADDITIONAL FUNDS FOR THE EXPENSES OF THE COM- MITTEE ON HOUSE ADMINISTRA- TION

Mr. THOMPSON, Mr. Speaker, by direction of the Committee on House Administration, I call up the resolution (H. Res. 1563) providing additional funds for the expenses of the Committee on House Administration to provide for maintenance and improvement of ongoing computer services for the Committee on Appropriations and the Committee on the Budget of the House of Representatives, and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. Res. 1563

Resolved, That the Committee on House Administration is authorized to incur such further expenses (not in excess of \$102,500) as the committee considers advisable to provide for maintenance and improvement of ongoing computer services for the Committee on Appropriations and the Committee on the Budget of the House of Representatives. Such expenses shall be paid out of the contingent fund of the House on vouchers authorized and approved by such committee, and signed by the chairman thereof.

SEC. 2. No part of the funds authorized by this resolution shall be available for expenditures in connection with the study or investigation of any subject which is being investigated for the same purpose by any other committee of the House.

SEC. 3. Funds authorized by this resolution shall be expended pursuant to regulations established by the Committee on House Administration in accordance with existing law.

Mr. THOMPSON (during the reading). Mr. Speaker, I ask unanimous consent that further reading of the resolution be dispensed with and that it be printed in the Record at this point.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. THOMPSON, Mr. Speaker, this supplemental request for the House information system specifically is intended to cover the further computer services need for support of the Committee on Appropriations in the amount of \$92,500, and the Committee on the Budget in the amount of \$9,500.

Mr. MAHON, Mr. Speaker, will the gentleman yield?

Mr. THOMPSON, I yield for the purpose of debate only to the distinguished chairman of the Committee on Appropriations.

(Mr. MAHON asked and was given permission to revise and extend his remarks.)

Mr. MAHON, Mr. Speaker, I rise in support of House Resolution 1563. This resolution will provide additional funds for the expenses of the Committee on House Administration to provide for the maintenance and improvement of ongoing computer services for the Committee on Appropriations and the Committee on the Budget. The resolution seeks \$102,500 which is necessary until the end of this calendar year to pay for the computer time-sharing services obtained from the commercial vendors that are being used by both committees.

These services cost \$281,000 in 1975, and are projected to cost \$462,500 in 1976, including the \$102,500 that would be provided by this resolution.

This year we have begun sharing these services with the Congressional Budget Office and the Senate Committee on Appropriations. Some of the 1976 increase, therefore, reflects these activities that have already resulted in increased cooperation on technical matters between both bodies and the CBO. The balance of the increase between 1975 and 1976 represents the costs of the first full year of operations under the Budget Control Act.

Mr. Speaker, these funds are needed to carry out important projects that are proving beneficial to our committee and which contribute to the success of the new procedures required by the Congressional Budget Act of 1974. In fact, Mr. Speaker, without this computer assistance, it would be impossible for us to meet the various deadlines and additional responsibilities that are imposed by the Budget Act.

The Committee on House Administration has a technical group called House Information Systems that has been providing the necessary technical support in this area. They are the ones that administer the contracts for the services that require the expenditure we are discussing today. Most of these funds will be used to make adjustments to the computer systems operated by the committees and House information systems so that we may be ready for the fiscal year 1978 budget that will be submitted next January. It is our desire and intention that these services be continued through the approval of this funding resolution.

Mr. Speaker, I strongly support the position of the gentleman from New Jersey (Mr. THOMPSON).

Mr. THOMPSON, Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR ADDITIONAL EX- PENSES OF THE COMMITTEE ON STANDARDS OF OFFICIAL CON- DUCT

Mr. THOMPSON, Mr. Speaker, by direction of the Committee on House Administration, I call up House Resolution 1569, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 1569

Resolved, That for the further expenses of the investigation to be conducted pursuant to H. Res. 1042, by the Committee on Standards of Official Conduct acting as a whole or by subcommittee, not to exceed \$100,000 including expenditures for the employment of investigators, attorneys, and clerical, stenographic, and other assistants, and for the procurement of services of individual consultants or organizations thereof pursuant to section 202(1) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(1)), shall be paid out of the contingent fund of the House on vouchers authorized by such committee, signed by the chairman of such committee, and approved by the Committee on House Administration. Not to exceed \$40,000 of the

total amount provided by this resolution may be used to procure the temporary or intermittent services of individual consultants or organizations thereof pursuant to section 202(1) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(1)); but this monetary limitation on the procurement of such services shall not prevent the use of such funds for any other authorized purpose.

SEC. 2. No part of the funds authorized by this resolution shall be available for expenditure in connection with the study or investigation of any subject which is being investigated for the same purpose by any other committee of the House, and the chairman of the Committee on Standards of Official Conduct shall furnish the Committee on House Administration information with respect to any study or investigation intended to be financed from such funds.

Mr. THOMPSON (during the reading). Mr. Speaker, I ask unanimous consent that the resolution be considered as read and printed in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

COMMITTEE AMENDMENT

The SPEAKER pro tempore. The Clerk will report the committee amendment.

The Clerk read as follows:

Strike all after "Resolved," and insert in lieu thereof the following:

That for the further expenses of the investigation to be conducted pursuant to H. Res. 1042, by the Committee on Standards of Official Conduct, acting as a whole or by subcommittee, not to exceed \$50,000 including expenditures for the employment of investigators, attorneys, and clerical, stenographic, and other assistants, and for the procurement of services of individual consultants or organizations thereof pursuant to section 202(1) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(1)), shall be paid out of the contingent fund of the House on vouchers authorized by such committee, signed by the chairman of such committee, and approved by the Committee on House Administration. Not to exceed \$50,000 of the total amount provided by this resolution may be used to procure the temporary or intermittent services of individual consultants or organizations thereof pursuant to section 202(1) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(1)), but this monetary limitation on the procurement of such services shall not prevent the use of such funds for any other authorized purpose.

SEC. 2. No part of the funds authorized by this resolution shall be available for expenditure in connection with the study or investigation of any subject which is being investigated for the same purpose by any other committee of the House, and the chairman of the Committee on Standards of Official Conduct shall furnish the Committee on House Administration information with respect to any study or investigation intended to be financed from such funds.

Mr. THOMPSON (during the reading). Mr. Speaker, I ask unanimous consent that the committee amendment be considered as read and printed in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

(Mr. THOMPSON asked and was given permission to revise and extend his remarks.)

Mr. THOMPSON, Mr. Speaker,

September 9, the Honorable JOHN J. FLYNN, Jr., chairman of the Committee on Standards of Official Conduct, appeared before the Committee on House Administration and testified in support of House Resolution 1500, which would provide a \$100,000 supplemental authorization for completion of the Schorr investigation. The committee inquired of Chairman FLYNN and the ranking minority member, the Honorable FLOYD D. SPENCE, the actual obligations incurred by the Ethics Committee in the investiga-

tion. The committee subsequently received further information bearing on the amount needed, and approved a motion to report House Resolution 1500 with a committee amendment authorizing \$50,000 to pay for outstanding obligations, and to close the investigation.

Mr. Speaker, the amount is fair and reasonable, and will discharge the House of the financial obligations surrounding the Schorr inquiry.

Mr. Speaker, I might add that in terms of actual dollars and cents, the current

obligations appear to be \$48,242.50. The resolution calls for \$50,000. We do not anticipate that all of that will be used, and whatever difference remains will revert.

The committee amendment was agreed to.

Mr. THOMPSON Mr. Speaker, I move the previous question on the resolution. The previous question was ordered.

The resolution was agreed to. A motion to reconsider was laid on the table.

NOTICE

Incomplete record of House proceedings. Except for concluding proceedings which follow, the remainder of House proceedings for today will be continued in the next issue of the Record.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows to:

Mr. CHARLES H. WILSON of California (at the request of Mr. O'NEILL), for the balance of the week, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. YOUNG of Alaska) to revise and extend their remarks and include extraneous material:)

Mr. KEMP, for 10 minutes, today.
Mr. RAILSBACK, for 5 minutes, today.
Mr. QUIG, for 5 minutes, today.
Mr. MCKINNEY, for 5 minutes, today.
Mr. GOLDWATER, for 5 minutes, today.
Mr. DU PONT, for 15 minutes, today.
Mr. HEINZ, for 5 minutes, today.
Mr. MARTIN, for 10 minutes, today.
Mr. BOB WILSON, for 5 minutes, today.
Mr. DON H. CLAUSEN, for 15 minutes, today.

Mr. CRANE, for 5 minutes, today.
Mr. McDADDE, for 30 minutes, October 1.
Mr. COUGHLIN, for 30 minutes, October 1.

Mr. SCHULZE, for 50 minutes, October 1.

Mrs. HECKLER of Massachusetts, for 5 minutes, today.

(The following Members (at the request of Mr. FITZHUGH) to revise and extend their remarks and include extraneous matter:)

Mr. THOMPSON, for 10 minutes, today.
Mr. ZABLOCKI, for 10 minutes, today.
Mr. ANNUNZIO, for 5 minutes, today.
Mr. GONZALEZ, for 5 minutes, today.
Mr. McHUGH, for 5 minutes, today.
Mr. DIGGS, for 5 minutes, today.
Mr. STOKES, for 10 minutes, today.
Mr. ASPIN, for 10 minutes, today.
Mr. ROSTENKOWSKI, for 10 minutes, today.

Mrs. HOLTZMAN, for 30 minutes, today.
Mr. LUNDINE, for 5 minutes, today.
Mr. ALEXANDER, for 30 minutes, today.
Mr. O'NEILL, for 10 minutes, today.
Mr. LEGGETT, for 10 minutes, today.
Mr. ROGERS, for 30 minutes, today.
Mr. FUQUA, for 5 minutes, today.

Mr. FORD of Tennessee, for 5 minutes, today.

Mr. PRICE, for 5 minutes, today.

Mr. SATTERFIELD, for 60 minutes, on October 1.

Mr. DIGGS, for 60 minutes, on October 1.

Mr. SMITH of Iowa, for 30 minutes, on October 1.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. BADILLO, to extend his remarks in the body of the Record and to include extraneous material, notwithstanding the fact that it exceeds two pages of the CONGRESSIONAL RECORD and is estimated by the Public Printer to cost \$1,359.

Mr. BRADENAS, and to include extraneous matter, notwithstanding the fact that it exceeds two pages of the CONGRESSIONAL RECORD and is estimated by the Public Printer to cost \$1,287.

Mr. HAYES of Indiana and to include extraneous material notwithstanding the fact it exceeds two pages of the Record at an estimated cost of \$1,114.

Mr. LUNDINE and to include extraneous matter notwithstanding the fact that it exceeds two pages of the CONGRESSIONAL RECORD and is estimated by the Public Printer to cost \$3,851.

Mr. MURTHA to revise and extend remarks and include extraneous material during general debate on Alaskan pipeline bill.

Mr. BRADENAS to revise and extend his remarks on House Concurrent Resolution 761.

Mr. THORNTON, immediately following the vote on H. R. 1432, Labor-HEW appropriations veto override.

(The following Members (at the request of Mr. YOUNG of Alaska) and to include extraneous material:)

Mr. KEMP in four instances.
Mr. CRANE.
Mr. FISH.
Mr. MOSHER.
Mr. WIGGINS.
Mr. TREEN in two instances.
Mr. DUNCAN of Tennessee.
Mr. HEINZ in three instances.
Mr. MARTIN.
Mr. SCHULZE.
Mr. ESCH in two instances.

Mr. CONABLE.

Mr. MITCHELL of New York in two instances.

Mr. DERWENSKI in two instances.

Mr. ROUSSELOT in six instances.

Mr. YOUNG of Florida.

Mr. HORTON in two instances.

Mr. MICHELI.

Mr. BOB WILSON.

Mr. McCLEARY in two instances.

Mr. HANSEN.

Mr. LOTT.

Mrs. HOLT.

(The following Members (at the request of Mr. FITZHUGH) and to include extraneous matter:)

Mr. GONZALEZ in three instances.

Mr. ANDERSON of California in three instances.

Mr. ZABLOCKI in two instances.

Mr. STEPHENS.

Mr. LEGGETT in 10 instances.

Mrs. BURKE of California in two instances.

Mr. DELPICK in two instances.

Mr. LUNDINE in five instances.

Mr. YATRON.

Mr. HAWKINS in two instances.

Mr. ROSE.

Mr. BENNETT.

Mr. McDONALD in five instances.

Mr. LEVITAS.

Mr. EDWARDS of California.

Mr. BRINKLEY.

Mrs. SCHROEDER.

Mr. WAXMAN in 10 instances.

Mr. HELSTOSKI.

Mrs. MEYER.

Mr. VAN DEERLIN in two instances.

Mr. ROBERTS in five instances.

Mr. O'NEILL.

Mr. RYAN.

Mr. RYAN in two instances.

Mr. POSSENTIAL.

Mr. HUNTER.

Mr. YOUNG of Georgia.

Mr. POSEY in four instances.

Mr. BAILEY.

Mr. LONG of Maryland.

Mr. HANNAGAN.

Mr. JUVARETTE.

Mrs. KEYS.

Mr. PATTERSON of California.

Mr. FORD of Michigan.

Mr. BRECKINRIDGE in two instances.

Mr. ANASTAS in two instances.

Mr. BARTON in two instances.

Mr. JACOB.

Mr. STARR in two instances.

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of this paragraph; shall make studies, develop information, and make recommendations toward remedying these deficiencies and include these in the annual Employment and Training Report of the President; and, if deemed necessary, make recommendations to the Congress within ninety days related to the objectives of this paragraph.

LABOR STANDARDS

Sec. 402. The policies and programs implemented and provided for by this Act, and funded in whole or in part through this Act, shall provide that persons employed pursuant to such policies and programs are paid equal wages for equal work, and that such policies and programs create a net increase in employment through work that would not otherwise be done. The President shall insure that any person employed in a reservoir project under section 208(a) or in any other job utilizing funds provided in whole or in part under this Act shall be paid not less than the pay received by others performing similar work for the same employer, and in no case less than the minimum wage under the Fair Labor Standards Act of 1938, as amended. No person employed under section 206(d) shall perform work of the type to which the Bacon-Davis Act, as amended (40 U.S.C. 276a-276a-5) applies. Any recommendation by the President for legislation to implement any program under this Act, requiring the use of funds under this Act, and submitted pursuant to the requirements of this Act, shall contain appropriate wage provisions based upon existing wage standard legislation.

AUTHORIZATIONS

Sec. 403. There is authorized to be appropriated such sums as may be needed to carry out the provisions of this Act. Notwithstanding any other provisions of this Act, no provision shall be construed to require expenditures in excess of amounts appropriated pursuant to this Act.

DEFINITIONS

Sec. 404. (a) "Fiscal drag" as used in section 106 means tax and expenditure rates which, in combination, substantially impede attainment (or maintenance) of full employment, production, and purchasing power.

(b) "Balanced growth" in the Full Employment and Balanced Growth Plan means projecting and achieving (1) the relationship between production or supply capability and demand, and (2) the relationships among the growth rates of private investment, private consumer expenditures, and public outlays, and also (3) the purchasing power, including important components of each element mentioned in (1), (2), and (3) above, required to achieve and then maintain full employment and production and appropriate servicing of national priorities, these to be projected by the programs and policies set forth in this Act and by encouragement of voluntary cooperation within the private sector (for example, between labor and management) and between the Government and the private sector.

(c) "Frictional unemployment" means the lowest level of unemployment, determined on the basis of evolving experience, consistent with labor mobility, changing job patterns, freedom of job choice, and sufficient job search on a voluntary basis.

Amend the title so as to read: "A bill to establish and translate into practical reality the right of all adult Americans able, willing, and seeking to work to full opportunity for useful paid employment at fair rates of compensation; to combine full employment, production, and purchasing power goals with proper attention to balanced growth and national priorities; to mandate such national economic policies and programs as are necessary to achieve full employment, production, and purchasing power; to restrain inflation; and to provide explicit machinery for the development and implementation of such economic policies and programs."

CALL OF THE HOUSE

Mr. LEVITAS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. O'NEILL. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The call was taken by electronic device, and the following Members failed to respond:

Abzug	Adams	Alexander	Andrews, N.C.	Ashley	AuCoin	Badilla	Beil	Bolling	Bunker	Bowen	Breaux	Burke, Calif.	Burton, John	Byron	Carney	Carter	Chappell	Chisholm	Clancy	Cleveland	Collins, Ill.	Conlan	Conyers	Cotter	Coughlin	Derwinski	Diggs	Dingell	Dodd	Eckhardt	Edwards, Calif.	Emery	Esch	Eshleman	Flynt	Ford, Tenn.	Fraser	Fuqua	Glamo	Goldwater	Green	Hagedorn	Hansen	Harkin	Harsha	
Hebert	Heckler, Mass.	Helms	Helstoski	Hinshaw	Holland	Howe	Ichord	Jacobs	Jarman	Johnson, Pa.	Jones, Ala.	Kath	Kastenmeier	Kelly	Kemp	Ketchum	Keys	Kindness	Krueger	Leat	Lott	McCloskey	McCollister	McFall	Madigan	Mann	Matsunaga	Mazzoli	Merz	Melcher	Metcalf	Meyner	Mikva	Milford	Mineta	Mink	Mitchell, Id.	Mosher	Moss	Murphy, N.Y.	O'Hara	Patterson	Calif.	Pepper	Pike	Prentiss
Raisback	Randall	Rangel	Rees	Richmond	Riegle	Rodino	Roncallo	Rose	Rosenthal	Roussot	Roybal	Ruppe	Ryan	Santini	Sarbanes	Scheuer	Schneebell	Schroeder	Shipey	Shuster	Skubla	Snyder	Stanton	James V.	Stark	Steelman	Stelger, Ariz.	Stephens	Stuckey	Syrington	Talcott	Tragas	Thompson	Udall	Vander Jagt	Vander Veer	Waxman	Wilson, Tex.	Winn	Wirth	Wold	Wright	Wyder	Yatron	Young, Alaska	Young, Ga.

The SPEAKER pro tempore (Mr. JORDAN): On this rollcall 293 Members have recorded their presence by electronic device, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

CREATING SELECT COMMITTEE TO INVESTIGATE AND STUDY ASSASSINATIONS OF JOHN F. KENNEDY AND MARTIN LUTHER KING, JR.

Mr. MADDEN. Madam Speaker, by direction of the Committee on Rules, I call up the resolution (H. Res. 1540) creating a select committee to conduct an investigation and study of the circumstances surrounding the death of John F. Kennedy and the death of Martin Luther King, Jr., and of any others the select committee shall determine, and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. Res. 1540

Resolved, That there is hereby created a select committee to be composed of twelve Members of the House of Representatives to be appointed by the Speaker, one of whom he shall designate as chairman. Any vacancy occurring in the membership of the select

committee shall be filled in the same manner in which the original appointment was made.

The select committee is authorized and directed to conduct a full and complete investigation and study of the circumstances surrounding the death of John F. Kennedy and the death of Martin Luther King, Jr., and of any others the select committee shall determine.

For the purpose of carrying out this resolution the select committee, or any subcommittee thereof authorized by the select committee to hold hearings, is authorized to sit and act during the present Congress at such times and places within the United States, including any Commonwealth or possession thereof, whether the House is in session, has recessed, or has adjourned, to hold such hearings, and to require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, and documents as it deems necessary, except that neither the select committee nor any subcommittee thereof may sit while the House is meeting under the five-minute rule unless special leave to sit shall have been obtained from the House. The chairman of the select committee may establish such subcommittees of the select committee as he considers appropriate. A majority of the members of the select committee shall constitute a quorum for the transaction of business, except that the select committee may designate a lesser number as a quorum for the purpose of taking testimony. The select committee may employ and fix the compensation of such clerks, experts, consultants, technicians, attorneys, investigators, and clerical and stenographic assistants as it considers necessary to carry out the purpose of this resolution. The select committee may reimburse the members of its staff for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties vested in the select committee, other than expenses in connection with meetings of the select committee or any subcommittee thereof held in the District of Columbia. Subpoenas may be issued under the signature of the chairman of the select committee or any member of the select committee designated by him, and may be served by any person designated by such chairman or member.

The select committee shall report to the House as soon as practicable during the present Congress the results of its investigation and study, together with such recommendations as it deems advisable. Any such report shall be filed with the Clerk of the House.

The SPEAKER pro tempore. The gentleman from Indiana (Mr. Madden) recognized for 1 hour.

Mr. MADDEN. Madam Speaker, I yield 30 minutes to the gentleman from Idaho (Mr. Anderson), pending which I yield myself such time as I may consume. (Mr. MADDEN asked and was given permission to revise and extend his remarks.)

Mr. MADDEN. Madam Speaker, H. Resolution 1540 provides for the establishment of a select committee to be composed of 12 members to be appointed by the Speaker. The select committee is directed to conduct a full and complete investigation and study of the circumstances surrounding the death of John F. Kennedy and the death of Martin Luther King, Jr., and of any others the select committee shall determine.

House Resolution 1540 provides the select committee is authorized to sit and meet throughout the remainder of the 94th Congress whether or not

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House is in session and also provides that the select committee shall have subpoena power.

On Wednesday, September 15, the Rules Committee reported this resolution by a vote of 9 to 4, with 1 abstention. Our committee feels that the time is right to begin an investigation of how these assassinations occurred.

As chairman of the Rules Committee, I have received hundreds of letters and telegrams from all over the country on this issue. An overwhelming majority have strongly urged approval of this resolution.

Madam Speaker, I support House Resolution 1540, and I urge the adoption of this resolution.

Mr. YATES. Madam Speaker, will the gentleman yield for a question?

Mr. MADDEN. I yield to the gentleman from Illinois.

Mr. YATES. Madam Speaker, I ask the gentleman this question: What does the phrase mean, following the granting of authority for investigating the circumstances surrounding the death of John F. Kennedy and Martin Luther King, Jr., and I quote, "of any others the Select Committee shall determine"?

May this committee investigate the assassination attempts on the life of Castro, for example? Can it examine any assassination attempt it wishes to?

Mr. MADDEN. Madam Speaker, I will yield to the gentleman from Virginia (Mr. Downing) to answer that question.

Mr. DOWNING of Virginia. Madam Speaker, I thank the chairman for yielding.

I would like to advise my colleague, the gentleman from Illinois (Mr. Yates), that "any others" has no specific meaning.

I myself wish the words had never been included in the resolution, but it would be up to the determination of the committee as to what "any others" means.

It could mean that if there was a possible assassination attempt on the life of the present President, the committee, I suppose, would have the discretion to go into that. However, it would be entirely up to the judgment of the committee.

Mr. YATES. Madam Speaker, if the gentleman will yield further, I share the gentleman's statement when he says he wishes this phrase was not in there.

I think it gives the committee enormous power to go into any possible kind of assassination attempt on any person throughout the world.

Madam Speaker, I wonder why this phrase should have been inserted. I wonder why the Committee on Rules included it.

Mr. DOWNING of Virginia. Presumably it could mean what the gentleman says. However, I think we are going to have to trust the judgment of the committee to do what is right. This phraseology pertains to American leaders, not foreign persons.

Mr. YATES. Madam Speaker, if the gentleman will yield further, it seems to me that the committee's investigation of

the assassinations of former President Kennedy and Martin Luther King, Jr., would be enough of a charge upon the committee. I would hope that there would be no effort to go into any other.

I believe it gives the committee far too much power, power beyond the original intent of the resolution.

Mr. DOWNING of Virginia. Madam Speaker, I have told the gentleman that I wish the words were not in there; but I can assure him that insofar as I have anything to do with it, I would not want the power to be too broad, and I hope the gentleman from Illinois votes for the resolution.

Mr. LATTI. Mr. Speaker, will the gentleman yield?

Mr. MADDEN. I yield to the gentleman from Ohio.

Mr. LATTI. Mr. Speaker, I want to thank the chairman, the gentleman from Indiana, Mr. MADDEN, for yielding to me.

Let me say that I raised the same question before the Committee on Rules. I would like to ask the gentleman why this language should not be stricken when this matter comes on for debate today?

Mr. DOWNING of Virginia. Mr. Speaker, if the gentleman will yield, I have no objection to striking those words.

Mr. LATTI. I thank the chairman.

Mr. ANDERSON of Illinois. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Connecticut (Mr. McKinney).

(Mr. McKinney asked and was given permission to revise and extend his remarks.)

Mr. McKinney. Mr. Speaker, I would just like to congratulate the Committee on Rules on this resolution. This is something I became involved in about 5 years ago. I do not know of any plots or any secrets, but I do know that I think the attitude of the American people is that there are questions that have not been put to rest. I think the questions that have not been put to rest about the Government have severely damaged the credibility of our Nation's Government and of our system.

I would hope that this committee quietly, very seriously and in a very hard working fashion can come out with the final answers that the American people have asked.

Mr. ANDERSON of Illinois. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Alabama (Mr. Dickinson).

(Mr. Dickinson asked and was given permission to revise and extend his remarks.)

Mr. Dickinson. Mr. Speaker, I thank the gentleman from Illinois for yielding to me.

Mr. Speaker, let me say that I too have some very real doubts as to some of the circumstances involved, particularly those surrounding the Kennedy assassination and perhaps we can get at some of the facts and questions that have been raised such as the unnatural deaths of certain of the people connected with the assassination, incidents that seem to be continuing right up to now as for in-

stance, the recent murder of Roselli a month or two ago.

But, Mr. Speaker, my most immediate interest is as to the funding of the committee and I would like to have the attention of the gentleman from Virginia (Mr. Downing) who will be the chairman of the committee.

I am curious as I say, as to the nature of the funding. First, we are limited to this Congress and, of course, we have the proposed date of October 2 for adjournment although I do not know that we will get out at that time. I would ask the gentleman from Virginia if he has any idea as to how much it will cost? I assume they will come to our committee for the funds they need, or it is going to be a direct tap on the contingency fund? How much does the gentleman anticipate it will cost?

Mr. DOWNING of Virginia. Mr. Speaker, if the gentleman will yield, the gentleman from Alabama is correct in his assumption in the first instance that we will appear before his committee and ask for funds. We will ask for, it is estimated, \$250,000. This will be for organizational purposes, setting up of the staff, and so forth, so the committee will be ready to go at the next session of the Congress.

Mr. Dickinson. The gentleman says "at the next session of the Congress," so I assume the gentleman does not anticipate that this special subcommittee will make any substantial progress in investigating this year. Will the committee make any report during this present Congress even though the gentleman does not expect to conduct or finish any investigations until the following Congress? I ask that, Mr. Speaker, because the resolution says:

The Select Committee shall report to the House as soon as practicable during the present Congress the results of its investigation and study . . .

From what the gentleman has told me, the gentleman does not even anticipate making a serious start until the next Congress. Could the gentleman explain that?

The SPEAKER. The time of the gentleman has expired.

Mr. ANDERSON of Illinois. Mr. Speaker, I yield 2 additional minutes to the gentleman from Alabama.

Mr. Dickinson. I thank the gentleman for yielding me the additional time.

Mr. DOWNING of Virginia. Mr. Speaker, if the gentleman will yield further to me?

Mr. Dickinson. I would be pleased to yield to the gentleman.

Mr. DOWNING of Virginia. Under the terms of the resolution the committee will have to file a report at the end of this Congress as to the progress of the committee during the interim period. I is not expected that there will be an formal hearings, certainly before election. It may be necessary to hold some hearings in order to preserve testimony. I just cannot assure the gentleman from Alabama that it will or will not hold hearings in that regard.

Mr. THOMPSON. Mr. Speaker, if the gentleman will yield, much as I sympathize with the objectives of the gentleman from Virginia (Mr. Downing), a

must remember, that the select committee expires with each Congress.

Mr. DOWNING of Virginia: That is right.

Mr. THOMPSON: That would mean the creation of this select committee, then, presumably, it would appear before the Committee on House Administration for funding purposes, then the organization of the committee, so that there would be relatively little time within which to do anything before the end of this Congress. Then the select committee would expire and there would be the reconstitution of the whole process all over again in the next Congress.

It just seems to me a meritorious idea—and I say this with all respect to my dear friend, the gentleman from Virginia, who will not be with us, unfortunately, next year—that this matter, if it does deserve the attention the gentleman is convinced that it does deserve, should really wait until the 95th Congress.

Mr. DOWNING of Virginia: If the gentleman would yield further, we have got to get started sometime, I will say to the gentleman from New Jersey, that this thing has been put off too long. The longer we wait, the more difficult it will be to obtain whatever evidence still remains out there. If we can get it organized, get our priorities, and get our directions set in the remaining days of this Congress, then the 95th Congress can start off right away with substantial hearings.

Mr. THOMPSON: If the ranking minority member, the gentleman from Alabama (Mr. DICKINSON) would yield further, I wish to point out the factual situation as I see it.

The SPEAKER: The time of the gentleman has expired.

Mr. MADSEN: Mr. Speaker, I yield 5 minutes to the gentleman from Virginia (Mr. DOWNING).

(Mr. DOWNING of Virginia asked and was given permission to revise and extend his remarks.)

Mr. DOWNING of Virginia: Mr. Speaker, today marks the culmination for me—and others, too, I suppose—of 15 months of intensive work and efforts to persuade this body to reinvestigate the assassinations of President Kennedy and Martin Luther King.

I want to thank the Speaker; I want to thank the leadership on both sides of the aisle; I want to thank the Committee on Rules for giving the House this opportunity.

Mr. Speaker, House Resolution 1540, which is sponsored by Mr. GONZALEZ, Mr. FAUNTROY, and me, is the refinement of a number of similar resolutions sponsored by approximately 135 Members of this body.

Two or 3 years ago—perhaps even 1 year ago—only a small fraction of us would have looked with favor upon the establishment of a select committee to re-examine the assassinations of several of our national leaders. However, today, I believe that there is overwhelming support in this House and throughout the country for an in-depth study into these traumatic events, in order to ascertain the truth, or at the very least, dispel doubts concerning them.

Most of us have reached our conclusion as to the necessity of a select committee reluctantly. However, the revelations of the last year or two have been both shocking and sobering.

Committees of both the House and the Senate have proven that much vital information was withheld from the Warren Commission. The CIA and its former Director, Allen Dulles, pointedly withheld all information relating to the multiple plots, which the U.S. Government launched, in an effort to assassinate Fidel and Raul Castro. To underline the importance of this conscious effort to deceive, we have the recent violent and unexplained murders of Sam Giancana and John Roselli, the two Mafia chieftains who were recruited by the CIA for the assassination plots against the Cuban leaders, which I think is deplorable.

A subcommittee of the House, chaired by our colleague from California, Mr. EDWARDS, has shown how a threatening note sent by Lee Harvey Oswald to an FBI agent, shortly before President Kennedy's murder, was torn up and flushed down a toilet rather than delivered to the Warren Commission.

We know that the original autopsy notes of the chief surgeon in President Kennedy's autopsy were burned in the doctor's recreation-room fireplace.

We know that Jack Ruby had many ties to both the Mafia and to Cuba, which were either unknown to the Warren Commission, or ignored by it.

The list of such items is almost endless.

In light of all of this, there is little wonder that very few people any longer have faith in the Warren Commission's conclusions that Oswald, and Oswald alone, was responsible for the death of President Kennedy, or that Ruby, likewise, was a "lone nut killer."

In a recent CBS poll, 65 percent of those polled said they did not believe the Warren Commission's conclusions. In a Detroit News poll, it was 87 percent. In addition, most of our leading newspapers and journals now have called for a reopening of the case.

Mr. Speaker, this resolution concerns only assassinations of President Kennedy and Dr. King. If and when the select committee reaches a conclusion that other cases should be reexamined in depth, it will have authority to conduct such investigations.

However, for the present, the committee's efforts will be concentrated on the deaths of these two national leaders.

It is my hope and my expectation that this select committee shall be nonpartisan, and nonpolitical. It will be dealing with matters of grave concern to all Americans, regardless of their political party, race, or section of the country. I can foresee no partisan aspect to the work of the committee. And to the extent that I am privileged to participate in its work, I shall do everything in my power to see that it remains above politics.

This committee will engage in no witch hunts. Its purpose is to arrive at the truth, not to blame those who may have erred in the original investigations.

For my part, the only conclusion I have

reached concerning the murders of President Kennedy or Dr. King is that we do not know the complete truth. Certainly in the case of President Kennedy, I am convinced that there was a conspiracy involved. I do not, however, know the identity of the conspirators or their motives. It is this that we must prove in depth.

So that there will be no question about the nonpolitical nature of the proposed committee, it has been agreed that there will be no public hearings held prior to the election in November. Some hearings may be scheduled for later this year, but most of the time will be spent in organizing staff, setting priorities, and obtaining a mass of official records. This will set the stage for prompt and deliberate action by the select committee when, as I strongly urge and expect, it will be re-established in the 95th Congress.

Mr. Speaker, I am sure that each of us remembers the manner in which we heard of the assassinations of President Kennedy and of Dr. King. We may for many of the details of our lives, but one of us will always remember where we were, what we were doing, how we heard about these assassinations, or our own personal reaction to them.

Mr. Speaker, I do not want to go home and face my people unless I can assure them that I have done by utmost to provide them with the knowledge of what really happened to John F. Kennedy, their President. I want them to know what happened to Dr. King. I want to be able to tell them that no one has stood in their way of learning the truth. I want to help restore in them the credibility of their Government. That they need.

I want to leave this as my legacy to the Members of the 95th Congress, the pleasure of whose country I have chosen with great reluctance, to deny myself.

INTERROGATION OF LEE HARVEY OSWALD

Lee Harvey Oswald was questioned by Dallas police and by seven FBI officials for approximately 12 hours. There were no stenographic transcripts of his interrogation. No tape recorded record of questioning was made. Capt. Will F. chief of homicide, "kept no notes." I sole source of information about the interrogations are reports, based in part on memory, prepared by some of those present and covering some of interrogation sessions. There are no reports for several of the interrogations on Friday afternoon. No transcripts were made of Oswald's statements for either of the two homicides with which he was charged.

Oswald was taken into custody at approximately 2 p.m. on Friday and murdered in the basement of the Dallas Police and Courts Building on Sunday shortly after 11 a.m. Throughout detention, Oswald was without representation.

On Friday evening, representatives from the Dallas Civil Liberties Union appeared at the police department to determine whether Oswald was deprived of counsel and they were by police officials that Oswald was formed of his rights and free to a lawyer. They sought permission to

with Oswald but were unable to meet with him. . . . The fact that the 12 hours of interrogation by FBI agents of Lee Harvey Oswald, perhaps the most important defendant and witness in the history of our country, are lost to us forever, raises the most serious questions. What did Oswald say? Why are we unable to learn of his comments? Only a congressional committee that asks those questions of the seven FBI agents can provide answers for America.

BURNED AUTOPSY MATERIAL

There is general agreement that an analysis of the preliminary autopsy materials would shed further light on the possibilities of the Commission's "single bullet" theory, a theory which is crucial to the Commission's conclusion that Oswald was the lone assassin. However, chief autopsy surgeon, Comdr. James J. Humes, burned "preliminary - draft notes" relating to the autopsy upon the body of President Kennedy. When Humes testified before the Warren Commission on March 16, 1964, he testified that:

In the privacy of my own home, early in the morning of Sunday, November 24, I made a draft of this report which I later revised, and of which this (handwritten report of autopsy report) represents the revision. That draft I personally burned in the fireplace of my recreation room.

Commission Counsel Arlen Specter, author of the "single bullet" theory, did not ask Humes why he destroyed a crucial piece of Federal evidence in the case against Oswald.

JACK RUBY AND THE FBI

According to Commission Document 1052 Jack Ruby worked for the FBI as an informant on organized crime in Dallas from March 11, 1959, to October 2, 1959. During that time he was contacted on nine separate occasions by Dallas FBI Special Agent Charles W. Flynn. J. Lee Rankin, general counsel for the Warren Commission received this information by courier service from J. Edgar Hoover on June 9, 1964.

Leon D. Hubert, Jr., and Bert W. Griffin, the two Commission lawyers in charge of investigating Ruby's background were not provided any information on his underworld or law enforcement affiliations. Thus the Warren Commission did not know and did not reveal the relationship between Jack Ruby and the FBI.

ROBERT R. McKEOWN AND JACK RUBY

In 1959, while Jack Ruby was an informant for the FBI, he went to Havana, Cuba, where he stayed at the Tropicana Hotel owned by Meyer Lansky, a king pin in organized crime. Before Ruby went to Cuba he attempted to secure a letter of introduction to Fidel Castro from Robert R. McKeown. According to the statement of McKeown, Ruby offered \$25,000 for the letter of introduction to Castro.

The year was 1959—the year organized crime entered into an alliance with the intelligence community to assassinate Fidel Castro. The two Warren Commission lawyers assigned to investigate Jack Ruby's background, Leon D. Hubert, Jr., the former district attorney of New Or-

leans, and Bert Griffin, now a judge in Cleveland, Ohio, insisted in four separate memorandums that the Commission call McKeown as a witness. The Commission did not call McKeown and did not ask Ruby any questions about the matter.

POSSIBLE OSWALD LINK TO CIA

Before Oswald went to Mexico in September of 1963, he had to get an entry permit from the Mexican Consulate in New Orleans. After the assassination, the FBI investigated everyone who had gotten permits in New Orleans on the same day as Oswald. To their horror, they discovered that the man immediately preceding Oswald was one William George Gaudet, a man who had worked for the CIA since its founding in 1947. After much discussion between the CIA, the FBI, and the Warren Commission, it was decided not to call Gaudet as a witness, nor even to let his identity be known until the year 2039. However, recently, and apparently by accident, Gaudet's name was made public, and he has affirmed the story of the entry permit and the coverup.

This coverup by itself is bad enough, but it becomes more sinister when one realizes that CIA man Gaudet not only stood in line ahead of Oswald, he also had knowledge of Ruby's activities. In fact, Gaudet told the FBI on November 27, 1963—4 days after the murder—of Ruby's activities in New Orleans.

Yet to this day, Gaudet has never been subpoenaed, put under oath and questioned publicly about the links between himself, Oswald, and Ruby—and the CIA.

THE WARREN COMMISSION'S SECRET MEETING

Two documents recently declassified, the January 22, 1964, and the January 27, 1964, transcripts of the Warren Commission executive sessions, provide interesting reading.

The members of the Commission decided to destroy the minutes of the meetings so that the American people might not know what the Commission discussed. The minutes survived, and they reveal that the general counsel for the Warren Commission, J. Lee Rankin, reported that the two highest law enforcement officials in Texas, Waggoner Carr, the attorney general of Texas, and Henry Wade, the Dallas district attorney, both had proof that Lee Harvey Oswald was an employee of the FBI. Rankin suggested that an examination of the FBI records would reveal that Oswald worked for the FBI, but he added that Hoover would probably deny that Oswald was the agent referred to in the FBI files. Allan Dulles assured Chief Justice Warren that Hoover would not tell the Commission the truth, even under oath, if Oswald did work for the FBI. Dulles said that a good agent would lie under similar circumstances.

The Commission agreed to call the five relevant witnesses on the questioning of Oswald's employment by the FBI and to subpoena Oswald's FBI file as well. By the end of the second meeting, the Commission decided not to call the five relevant witnesses and not to subpoena the records of the FBI. Instead, the Warren Com-

mission relied exclusively upon the testimony of Mr. Hoover regarding Oswald's association with the FBI.

Yet for many Americans this question remains an open one. A question which must be resolved if we are to know how and why John Kennedy was assassinated.

TAPED CONVERSATION OF "OSWALD" IN MEXICO CITY

When Oswald visited Mexico City in September 1963, someone made several visits and phone calls to the Soviet and Cuban Embassies using the Oswald identity.

That there is some doubt that the person visiting and phoning the embassies was in fact Lee Harvey Oswald is evidenced by the fact that many photographs of "Oswald" were taken by CIA cameras outside both embassies. Each and every photograph which has been printed loose from the Government—and they are still withholding some—are of a man who is about 6 feet 2 inches, 175 pounds, 35 years old, and burly. "Our" Oswald was 5 feet 9 inches, 135 pounds, 24 years old, and slim. The pictures are obviously not of Oswald, though so identified by the CIA.

At the same time, the CIA—through some unknown means—tapped and taped the telephone calls of "Oswald" to the Soviet and/or Cuban Embassies. These recorded conversations were withheld from the Warren Commission. Had they been made available, or if they were made available today, voice prints of them could be made and compared with voice prints of known conversations of Lee Oswald. Then we would know for sure if there was someone else using Oswald's identity in Mexico City. And, if there are two Oswalds for sure, we can wager great odds that there was a conspiracy involved in the death of our President.

SECRET WIRETAPS

After the assassination, the Federal Government placed a number of wiretaps but withheld most of the "fruits" of these taps from the Warren Commission.

We are certain as to one crucial tap because of an FBI report declassified only weeks ago. This tap was either on the home phone of the Paine residence or the business phone of Michael Paine. It must be remembered that the Paines were the Oswald's closest friends in Dallas, in fact, Marina Oswald was living at the Paine residence at the time of the assassination. Oswald ostensibly stored his rifle in the Paine's garage.

On the day after the assassination, the FBI overheard Ruth and Michael Paine telling each other over the telephone that, although Oswald did the shooting "We know who is responsible." Apparently the tapes from the conversation were withheld, because when the Paine were questioned at a later date, they denied the fact that the conversation had taken place. The FBI dropped the subject without ever facing them with tape or an FBI agent who had monitored the conversation.

If the Oswald's best friends, the Paine, know "who was responsible," is it not about time that the American people know?

ALLAN DULLES AND ASSASSINATIONS

A leading member of the Warren Commission was Allan Dulles. Dulles had been the Director of the CIA from 1953 until after the Bay of Pigs in 1961. During this time, Dulles, as the head of the CIA, must have been privy to the fact that the CIA had been actively engaged in many attempts to murder Fidel Castro in the years 1959-61.

The grimy details of the CIA exposures—especially the use made by the CIA of the Mafia in its murder plots—have been recently documented by the Church committee.

Yet, despite the Warren Commission's great interest in Oswald's many links to Cuba and to both pro-Fidel and anti-Fidel factions, Allan Dulles never said one word to the other members of the Commission about the attempts on the life of Castro. Had Allan Dulles been more forthcoming, the whole direction of the Warren investigation might have been radically different and its conclusions radically altered.

When we have a new investigation of the Dallas murder—and we will have one, whether it is this year, next year, or 10 years hence—the investigators can now realistically weigh the evidence withheld from Earl Warren by Allan Dulles to see if John Kennedy's death was directly or indirectly caused by his administration's attempts on the life of Fidel Castro.

THE MURDER WEAPON

A rifle was discovered on the sixth floor of the book depository building at 1:22 p.m. on November 22, 1963. The Dallas authorities told the press later that day that the weapon was a 7.65 German Mauser. Dallas District Attorney Wade repeated this information at a formal televised press conference and it was widely publicized. Deputy Constable Seymour Weltzman, on November 23, 1963, in a notarized affidavit, described the rifle. He and Deputy Sheriff Boone found as "a 7.65 Mauser, bolt action equipped with a 4/18 scope, a thick leather brownish black sling on it." In a filmed interview in April 1974, Roger Craig, a deputy Sheriff also present when the rifle was found stated:

I was standing next to Weltzman. He was standing next to Pritz, and we weren't any more than six or eight inches from the rifle, and stamped right on the barrel of the rifle was 7.65 Mauser. And that's when Weltzman said, "It is a Mauser," and pointed to the 7.65 Mauser stamp on the barrel.

This description of the rifle is incompatible with the Warren Commission's case against Oswald. Although the FBI reported that Oswald owned a rifle it was not similar to the one reportedly found on the book depository sixth floor. According to the FBI, the rifle Oswald had purchased was a Mannlicher/Carcano, 6.5 Italian carbine. This rifle, which the Warren Commission identified as the murder weapon, is available for examination in the National Archives. Any individual, regardless of his experience in firearms, can clearly see it is an Italian rifle because stamped clearly on the rifle are the words, "Made Italy" and "Cal. 6.5." It is unlikely that two police officers upon close inspection

would have made such a case of mistaken identification.

Recently declassified CIA documents add further evidence that "Oswald's" rifle was not the rifle found in the book depository. A CIA report, dated November 25, 1963, states:

On November 22, 1963 Lee Harvey Oswald shot President Kennedy while the President was riding in an open automobile on a Dallas Texas street. The rifle used was a Mauser.

A second CIA report dated 5 days after the assassination states:

November 28, 1963.
INFORMATION ON THE WEAPON PRESUMABLY USED IN THE ASSASSINATION OF PRESIDENT KENNEDY

1. As regards articles appearing recently in the Italian and foreign press concerning the presumed use of an Italian-made rifle in the slaying of President Kennedy, the following comments are made.
2. The weapon which appears to have been employed in this criminal attack is a model 91 rifle, 7.35 caliber, 1938 modification.
3. The description of a "Mannlicher Carcano" rifle in the Italian and foreign press is in error.

It should be clear that the initial identification of the rifle as a 7.65 Mauser clearly was not, as the Commission maintained, because Deputy Constable Weltzman "thought it looked like a Mauser." Since the Commission's case against Oswald as the lone assassin is built almost exclusively on his ownership of the 6.5 Mannlicher/Carcano, the identification of the murder weapon as 7.65 Mauser tends to discredit the entire case.

The report of the Warren Commission includes reference to a trip by Lee Harvey Oswald to Mexico City in late September of 1963, where on September 28 he visited both the Cuban and the Soviet Embassies. The report mentions that while he was in the Soviet Embassy he spoke with the Soviet Consul Kostikov, who also served as a KGB agent. Oswald referred to him as "Comrad Kostin." There is no further reference in the Warren Commission report as to the identity of Kostikov. We learned this in the recent release of some 1,500 CIA documents. I quote from one of the documents:

Note: Vasily Vladimirovich Kostikov, who has functioned overtly as a consul in the Soviet Embassy in Mexico City since September 1961, is also known to be a staff officer of the KGB. He is connected with the thirteenth, or Liquid Affairs Department, whose responsibilities include assassination and sabotage.

Upon reading this, my suspicions were very definitely aroused. Here we have the man who is considered to be the assassin of President Kennedy visiting a Soviet official whose responsibilities, according to the CIA, include assassination. I find the whole thing highly suspicious. I find it incredible. I would like to know more about Oswald's KGB contact. I would like to know why this is not mentioned in the Commission report.

THE HOSTY LETTER

Just as the FBI destroyed evidence in the Watergate case, equally did it do so in the Dallas case.

In one crucial instance we know that a few days before the assassination, Os-

wald hand-delivered to the FBI office Dallas a threatening letter addressed FBI Agent James Hosty. Two hours after Ruby shot Oswald, Hosty tore up the letter and a memorandum about it, and then down a toilet in the FBI office.

How can we be so sure of the details of this incident? Because a subcommittee of the House, chaired by the Honorable Don Edwards, held a full-fledged hearing under oath on this subject not more than a few months ago. Such facts as I have stated are perfectly clear.

What is not clear is: First, the nature of the threats in the letter; second, did Edgar Hoover know of the letter; third, who ordered the letter destroyed; fourth, why was it so crucial to hide the whole incident from the Warren Commission?

At the Edwards hearing, the testimony of various FBI witnesses was radically contradictory. As they were under oath at least some of the witnesses were injuring themselves 12 years after the fact.

The aim of the FBI appeared obvious from Hosty's answers to questions of Chairman Edwards. He said he did tell the Commission about the Oswald letter because he was not asked. He did not volunteer the information because he had been instructed not to volunteer anything that would be of help to the Commission.

To the extent I am privileged to participate in its work I shall do every. In my power to see that the commission remains above politics.

Mr. MONTGOMERY. Mr. Speaker, will the gentleman yield?

Mr. DOWNING of Virginia. I yield the gentleman from Mississippi.

Mr. MONTGOMERY. Mr. Speaker, rise in support of this resolution.

As chairman of the House Select Committee on Missing Persons in Southeast Asia, I would like to pledge to gentleman or others my cooperation work with the staff on how to set the committee. I also commend the gentleman from Texas (Mr. GONZALEZ) his initial leadership in this area. I suggest to the gentleman from Virginia that you have a small staff and use Government agencies to help get information.

Also I would like to suggest that select committees do not have to run and on. Even though the Select Committee on Missing Persons was extended 3 months over the 1 year of the bill the committee, which was needed, I think we can write a comprehensive report the missing persons by January 3. No reason to extend the Select Committee on Missing Persons.

I know the gentleman will look these matters.

Mr. DOWNING of Virginia. I yield the gentleman from Mississippi. I sit with him. The life of the committee be determined by each succeeding Congress.

Mr. SEIBERLING. Mr. Speaker, the gentleman yield?

Mr. DOWNING of Virginia. I yield the gentleman from Ohio (Mr. ST. LING).

Mr. SEIBERLING. Mr. Speaker, would like to add my support to

resolution and commend the gentleman in the well for his devotion to this cause. I think all America will applaud him for it.

The trouble is that we all felt in our bones that we did not have all the facts as to these terrible events, but only recently have we gotten some concrete evidence to confirm our misgivings. I was privileged to sit on the House Judiciary Subcommittee on Civil Rights earlier this year when we had hearings with respect to the FBI incident where they had a report on Oswald which was suppressed and flushed down the drain.

Unfortunately, the new evidence has been developed piecemeal and as a sort of byproduct of other investigations and oversight hearings. Now for the first time we will have the satisfaction that at least one committee will have the jurisdiction to go into this whole matter and try to answer some of these awful questions that have been continuing concern to the people of our country.

Mr. DOWNING of Virginia. I thank the gentleman.

This committee will engage in no witch hunts. Its purpose is to arrive at the truth and not to blame those who may have erred in the original investigation.

For my part the only conclusion I have reached concerning the murders of President Kennedy and Dr. King is that we do not know the complete truth. Certainly in the case of President Kennedy I am convinced that there was a conspiracy involved.

I do not, however, know the identity of the conspirators or their motives.

The SPEAKER. The time of the gentleman from Virginia has expired.

Mr. MADDEN. Mr. Speaker, I yield 1 additional minute to the gentleman from Virginia (Mr. Downing).

Mr. DOWNING of Virginia. Mr. Speaker, so that there will be no question about the nonpolitical purposes of this proposed committee, it has been agreed there will be no public hearings held prior to the election in November. Some hearings may be scheduled for later this year, but none of the time will be spent in organizing staff, setting priorities or obtaining the mass of political records for setting the stage for broad and deliberate action by the Select Committee, when as I strongly urge and expect it will be reestablished in the 95th Congress.

Mr. Speaker, I am sure we each remember the manner in which we heard of the assassination of President Kennedy and Dr. King. We may forget many of the details in our lives, but we will each remember where we were and what we were doing when we heard about it and our own personal reactions thereto.

Mr. Speaker, I do not want to go home and face my people unless I can assure them that I have done my utmost to provide them with all the knowledge of what happened to John F. Kennedy, our former President. I want them to know what happened to Dr. King. I want them to know that no one stood in the way of learning the truth. I want to restore credibility in our Government. I want to leave this as my legacy to the 95th

Congress, whose pleasure I have chosen to leave at this time with great reluctance.

Mr. MADDEN. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. Gonzalez).

(Mr. GONZALEZ asked and was given permission to revise and extend his remarks.)

Mr. GONZALEZ. Mr. Speaker, today—in this eleventh hour of the 94th Congress—the House has finally seen fit to attempt to discharge its responsibility in respect to some of the political assassinations of the last decade.

When I became the first Member of Congress since the Warren Commission report to ask for a congressional investigation of political assassinations on February 19, 1975—at the first available time after committees were organized for this Congress—I was ridiculed in some quarters and no one else was interested in joining in the effort. The U.S. press was, generally speaking, disinterested.

Much to my surprise, as well as everyone else's, the kind of reaction which I initially received quickly began to change as the result of revelations, especially about the John F. Kennedy assassination, which began to appear in print. The showing of the Zapruder film on national television also stimulated great interest.

As the interest began to mount, my good colleague, Congressman THOMAS DOWNING of Virginia, introduced the very same resolution which I had introduced, but left off all other assassinations—or attempted assassinations—except that of President Kennedy.

However, I had originally proposed and continued to propose that the House also undertake a review of the assassinations of U.S. Senator Robert F. Kennedy and Dr. Martin Luther King, and the attempt on the life of Gov. George Wallace, so my good colleague and I began to gather cosponsors on our two different versions of my proposal.

In the discussions which I had with my good colleague he argued that all the names of the others, especially that of Dr. King, should be removed from the proposal I had introduced, if we were to get any congressional investigation underway on the John F. Kennedy assassination, or any assassination.

Therefore, it was heartening this last Monday that my good colleague, THOMAS DOWNING, agreed to join me and Congressman WALTER FAUNTROY in a compromise proposal, House Resolution 1510, which includes Dr. King's assassination, and possibly others, as well as that of President Kennedy.

Mr. Speaker, you will recall, that I was the very first to appeal to you personally, on the floor of this House, for consideration of legislation creating a select committee on assassinations, as we have done today. This first appeal was many months ago when it appeared that there was no likelihood that we would ever get such a proposal out of the House Rules Committee.

Creation of the select committee is long overdue. However, whether creation of such a committee at this time, under

the present circumstances, including the retirement from Congress of my colleague, Congressman DOWNING, is really appropriate, remains to be seen.

I have only one interest: the truth about why and how these assassinations occurred.

In organizing such an effort, as a select committee on assassinations, we should have only the objective of assessing the effects of these assassinations on the American people, trying to determine why they happened, and how we can prevent such a series of events from happening again.

Mr. MADDEN. Mr. Speaker, I yield such time as he may consume to the gentleman from Illinois (Mr. Anderson).

(Mr. ANDERSON of Illinois asked and was given permission to revise and extend his remarks.)

Mr. ANDERSON of Illinois. Mr. Speaker, I am delighted that the gentleman who has preceded me on this resolution was the gentleman from Virginia (Mr. Downing). The gentleman certainly has no political motives whatever in espousing the cause of a reopening of the investigation into the death of Dr. King and John F. Kennedy, because as all of the Members of this committee know, the gentleman from Virginia is not seeking reelection to this body.

Mr. Speaker, very frankly, I was one of those who originally was highly skeptical—totally skeptical, I would say—of the utility of further pursuing this matter. Yet, after listening to the testimony of the gentleman from Virginia (Mr. Downing) before the Committee on Rules way back in March of this year, I was so impressed with the very patient and persistent effort that the gentleman had made to gather together all of the facts and all of the evidence that certainly pointed to new areas that deserve investigation, that at that time I voted in favor of reporting out this resolution. This was on the 31st of March of this year.

Now, almost 6 months have gone by. 6 months, I might say, of very valuable time that could have been used to pursue this matter.

Fortunately, some of the members of the Committee on Rules, at least in my judgment, changed their position and so it was that I read this week 2 days ago that by a vote of 9 to 4 this resolution was favorably reported.

Mr. Speaker, I shall not take the time to go into the evidence that has been presented to the committee by the gentleman from Virginia (Mr. Downing). The gentleman has already made some reference to it in his statement a moment ago; but, for example, some of the people who have urged reconsideration of this matter include the staff attorney for the Commission, David Belim, who in November of last year called for a new investigation, because the Commission at the time it did its work had been totally unaware of CIA attempts on the life of Fidel Castro. Yet I read, for example, in the statement of the gentleman from Virginia (Mr. Downing) and heard the gentleman testify before the Committee on Rules, that Lee Harvey Oswald was questioned by seven FBI of-

files for approximately 12 hours and that there are no stenographic transcripts of his interrogation, no tape-recorded record of his questioning was made, that no notes were kept, even by the chief of homicide of the Dallas Police.

Mr. Speaker, those are things certainly that lead me to believe that in view of what we have learned in recent months of CIA involvement in attempted assassination efforts with respect to the Cuban dictator, Fidel Castro, and also some of the revelations with respect to the activities of the FBI have lead me to believe that reasonable men have the right at this point in history to once again make an inquiry into these matters.

I have not spoken as extensively about the need for reinvestigation of the death of Dr. King, although I understand from one of the witnesses before our committee, Mr. FAUSTROY, that there is evidence in this case as well that is deserving of consideration. I think both of these matters are so important that I would urge Members to put aside their doubts and support the adoption of the resolution.

Mr. THONE. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentleman from Nebraska.

Mr. THONE asked and was given permission to revise and extend his remarks.)

Mr. THONE. Mr. Speaker, I thank the gentleman for yielding to me.

Mr. Speaker, no one can deny that there is a considerable percentage of people in America who feel they haven't had the full truth about the assassination of former President John F. Kennedy and Martin Luther King. There are lingering doubts in the minds of many about the participants, motives, and causes of these tragedies.

In my opinion, sinister conspiratorial aspects loom larger and larger.

Questions have also been raised about killings, or attempted murders, of other leading American political leaders in the past 10 to 15 years.

It is always worthwhile to seek the truth. It is always a wise course to try to replace doubts with certainty. It is always a course of wisdom to seek to find answers for important questions.

An investigation of these assassination attempts may help to guide America's conduct of international relations. An investigation may help to provide better protection for our political leaders. Most importantly, an investigation that is thorough, complete, and impartial will do much to ease American minds. The United States is a nation of free people. We require knowledge and information to keep our freedom. As Jesus said, "The truth will make you free."

In the search for truth, I urge adoption of this proposal.

Mr. YATES. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to my colleague from Illinois.

Mr. YATES. Mr. Speaker, the statements that have been made today by those advocating the resolution indicate

that the committee's attention will be devoted to the assassinations of former President Kennedy and Dr. Martin Luther King. Yet, I am troubled by the phrase in the resolution which states, "and any others the select committee shall determine."

Mr. ANDERSON of Illinois. I would respond to the gentleman from Illinois in this manner: Certainly, all of the testimony before the Committee on Rules—and which led me individually to support as long ago as March of this year the adoption of a resolution to set up a select committee—was based on a desire on the part of the witness to reopen the investigation into the deaths of two men, and two men only, Dr. Martin Luther King and former President John F. Kennedy.

Let me conclude my answer by saying that just as the gentleman from Virginia (Mr. DOWNING) pointed out, there have been some very mysterious deaths occur in recent months, and he referred by name to two former members of the Mafia. It is generally believed that they may have had some connection with plots by the CIA on the life of Castro; so that, to me, indicates that this language is merely designed to give the select committee, if it is established, the latitude and the flexibility that it might need to look into the deaths of other individuals who are not really the prime focus of inquiry, but leads with respect to how that matter would in turn perhaps shed some light on the whole mystery surrounding the deaths of former President Kennedy and Dr. King. So, I think it is wholly ancillary to the principal thrust of the investigation, which is to look into the deaths of Dr. King and former President Kennedy.

Mr. YATES. Does the gentleman believe that the work of the committee should be fully devoted to the deaths of those two individuals? And further respecting the deaths, as the gentleman suggested, occurring recently if those deaths are related to the death of former President Kennedy, the authority given by the resolution would permit the committee to go into those deaths as well. I think the authority that is given by that gratuitous phrase, if you please, is so broad that the committee could go into the assassination of President Lincoln, for example, under this authority. It could go into the assassination of President McKinley.

Mr. ANDERSON of Illinois. Now, the gentleman is resorting to a familiar device. There is not a shred of evidence before the Committee on Rules to show that they intend to go back and exhume the bones of Abraham Lincoln or James Garfield.

Mr. YATES. Why put this phrase in here then?

Mr. ANDERSON of Illinois. I have tried to explain to the gentleman that the deaths of some of the other people in recent months have lead the authors of the resolution to think they might have some bearing on the deaths of President Kennedy and Dr. King.

Mr. YATES. If they have a bearing on the deaths, would not the authority of

this resolution give Congress the power to go into that investigation?

Mr. ANDERSON of Illinois. I suppose one could argue without the phrase "and of any others" that they could.

Mr. YATES. That is right. I thank gentleman for his concession.

Mr. ANDERSON of Illinois. I frankly cannot see the basis for the fears expressed by the gentleman from Illinois that this committee is going to get off on a fishing expedition into every gangland slaying that has occurred over the past 10 years. I do not think that is their intention at all.

Mr. MADDEN. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. SISK).

(Mr. SISK asked and was given permission to revise and extend his remarks.)

Mr. SISK. Mr. Speaker, I appreciate the gentleman yielding.

Mr. Speaker, let me urge my colleagues, for gosh sakes, if they have any respect, as I am sure they all do, for the dollars of our taxpayers, let us vote this resolution down. This, to me, is almost unbelievable, that we would be here, approaching October 1, even discussing the issue.

Maybe I should not use this title, because it certainly does not apply to any Member of this body, nor to most Americans, but there are unfortunately, a number of people running around this country who are plain witch hunters, and they have some kind of a melodramatic desire for the morbid. They want to try to create an incident.

If anyone can stand up and tell me single good that anything that this committee may do would be of any benefit to the American people, to the American Government, to anyone, then for God's sake I wish they would do it.

I thought we put this thing to bed a long time ago, and we did have it stopped for a time.

But it seems to ever raise its head. And, finally, let me say we had an amendment yesterday proposed to eliminate the phrase which has been raised here which opens it up. For example, I understand there is new evidence in connection with the death of President Harding. I do not know whether or not the committee wants to go in and investigate the death of President Harding, and I do not really care. I just hope, as I said, that we vote this resolution down, and particularly at this stage of the year when there is no possibility even, with the admission of possible Members of the committee, that they are going to do anything this year and will depend on the 95th Congress for any achievements that may be developed.

Mr. Speaker, let me say to my colleagues that we have heard all kinds of rumors, and there will continue to be rumors. We had a very distinguished commission 13 years ago that I think did the very best possible job of investigating this. People talk about new facts. We read about new facts concerning a whole variety of things, some of them go back 100 years ago. Facts are facts to individual stating them. They may or

may not be facts. They may be truths or half-truths.

So I say, Mr. Speaker, that I would urge that this House on this occasion vote down this resolution, and then if the 95th Congress wants to take a look at some new evidence that apparently seems to be floating around, they can do so. Frankly, as a Member of the Committee on Rules, I still have not heard anything up there that would in any way change my strong conviction that it is a total waste of time. Are we going to go down and bring Mr. Castro up here if somebody comes up with some so-called facts that he was instrumental in the death of President Kennedy? To me, it is just unbelievable that we spend our time on this kind of situation.

Mr. MADDEN. Mr. Speaker, I yield 1 minute to the gentleman from Virginia (Mr. Downing).

(Mr. Downing of Virginia asked and was given permission to revise and extend his remarks.)

Mr. Downing of Virginia. Mr. Speaker, I have resolved this question for myself. The Members all know that I do not go in for the sensational or the bizarre. That is not my lifestyle. I asked myself, "Why do you want to do this?" And the answer came back: "The truth."

The American people want to know the truth. I would hope and pray that the committee would resolve that the Warren Commission was right, but I know in my heart it will not.

Let me tell the Members something else about these assassinations. We should take into consideration the political effects of this crime. Let us think of this for a minute: But for the fact that Kennedy was assassinated, Johnson probably would not have been President, and but for the fact that Robert F. Kennedy was assassinated, Richard M. Nixon probably would not have been President, and but for the fact that George Wallace was eliminated, Nixon probably would not have been reelected. No one can tell me that an assassination does not have an effect on politics and on our form of government.

Mr. Speaker, I urge the Members to vote for this resolution.

Mr. MADDEN. Mr. Speaker, I yield 5 minutes to the gentleman from the District of Columbia (Mr. Fauntroy).

(Mr. Fauntroy asked and was given permission to revise and extend his remarks.)

Mr. FAUNTROY. Mr. Speaker, I rise in support of the House Resolution 1540. There are at least three compelling reasons for the House to establish this Select Committee on Assassinations. The first is that the American people want it. The second is that a wealth of new information which was not available to the initial investigators of the Kennedy and King assassinations justifies it. And third, Mr. Speaker, the best vehicle for such an inquiry would be a duly constituted panel of distinguished Members of this House committed to conduct a responsible and searching investigation of these matters.

Let us take a look at the first compelling reason, namely that: The American people today want a thorough, im-

partial and reliable investigation of the rash of political assassinations that have rocked our Nation over the past 13 years. Both nationwide polls and more localized polls of the opinions of the American people indicate that an overwhelming majority of our people are not satisfied that we know the whole truth about several of these assassinations. In fact, a CBS nationwide poll as recently as November of last year found a whopping 46 percent of the American people believing that the shootings of John F. Kennedy, Martin Luther King, Jr., and even George Wallace were related. The polls found only that 15 percent of the American people believe that Lee Harvey Oswald acted alone in the Kennedy assassination.

When one reflects upon the wealth of new information that has come to light since initial investigators completed their work, one can understand the low level of confidence which the American people have in these dated findings. Not only have a number of books published on the subject of the assassinations revealed new information and raised serious questions that ought to be answered, but the recent findings of the Senate Select Committee on Intelligence have, in my view, confirmed the need for a reopening of these matters.

Our distinguished colleague from Virginia, Mr. Downing, has noted a number of facts that were not available to the Warren Commission in the Kennedy case. The King assassination has never been thoroughly investigated inasmuch as there has never been a trial, even though the confessed assassin has been seeking one for nearly 8 years. I have shared new information with respect to the King assassination with the leadership of the House with the result that they have concurred in our desire to establish the select committee.

Third, Mr. Speaker, a select committee of the House is clearly the best vehicle for investigating this investigation. What the Senate Select Committee on Intelligence has documented about the shameful conduct of the FBI with respect to Dr. King is certainly enough to convince all of us that the responsible thing for the Congress to do is to undertake this investigation, resolve any lingering doubts and help restore confidence in our Government.

The American people want it, new information demands it, and the conduct of our traditional investigative agencies require that we establish this select committee. Nothing more is needed; nothing less will suffice.

Mr. MYERS of Indiana. Mr. Speaker, will the gentleman yield?

Mr. FAUNTROY. I yield to the gentleman from Indiana.

Mr. MYERS of Indiana. Mr. Speaker, I share the concern of the gentleman, and I agree that these assassinations certainly needed investigation at the time, but I fail to realize how we can come up now 2 weeks before the adjournment with a resolution that provides for the appointment of 12 Members of this Chamber to make an investigation in 2 weeks and clear the air in a matter that the Warren Commission spent months in investigating. I just cannot see it.

I will ask one other question, if I may. Mr. FAUNTROY. May I answer the first question and then answer the gentleman's second.

Mr. MYERS of Indiana. Certainly. Mr. FAUNTROY. It is my considered judgment that the members of the Committee on Rules who voted for this, including the gentleman from Virginia (Mr. Downing) whose record is very clear on questions of this nature, have not moved to do this at this time without serious understanding of the urgent need to preserve testimony. I am confident that when we are apprised of the specifics of the new information, we will understand the wisdom of the leadership which is supporting this measure now.

Mr. MADDEN. Mr. Speaker, I yield myself an additional 30 seconds.

(Mr. MADDEN asked and was given permission to revise and extend his remarks.)

Mr. MADDEN. Mr. Speaker, I want to commend the gentleman from the District of Columbia (Mr. Fauntroy) for the remarks he just made.

As I previously stated, Mr. Speaker, there have been thousands of letters and requests from organizations and people all over the country pressing for these investigations.

The gentleman from Texas (Mr. Gonzalez) has been one of the pioneers in bringing about this investigation resolution. His work has not only extended over months, but over years in trying to get this Select Assassination Committee created.

Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. Pickle).

(Mr. PICKLE asked and was given permission to revise and extend his remarks.)

Mr. PICKLE. Mr. Speaker, I thank the gentleman from Indiana (Mr. Myers) for yielding.

I will not take all of that time because I was also going to point out to the House that one of the first voices in the Congress to raise questions was that of the gentleman from Texas (Mr. Gonzalez).

Mr. Speaker, I have doubts about what this committee will find; but I do know that the gentleman from Texas (Mr. Gonzalez) has been pursuing this matter for the last several years and probably was the first one to initiate or to insist on further inquiry. I think the House ought to know that perhaps this resolution is before us today because of his persistence and because of his determination that certain testimony ought to be preserved.

Mr. Speaker, most of us are going to reserve our judgment, but I know the able gentleman from Texas (Mr. Gonzalez) felt very strongly about uncertainties, and I think that the Members should be reminded of that particular fact.

Mr. MYERS of Indiana. Mr. Speaker, will the gentleman yield?

Mr. PICKLE. I yield to the gentleman from Indiana.

Mr. MYERS of Indiana. Mr. Speaker, once again we will establish a commission or a select committee, and I understand that these people who will ser-

on this committee have already been designated, in the event this resolution passes today.

I wonder if this resolution would be here today if the 12 members who will serve on it were not Members of the House of Representatives. If we selected 12 persons from the population to make this investigation, would we still be voting on this bill today? Are we really concerned about this or is this an opportunity for somebody to be out in the limelight again?

Mr. PICKLE. Mr. Speaker, I must say to the gentleman from Indiana (Mr. MYERS) that I do not know whether the members have been selected. That is a matter for the Speaker, who will make that determination.

Mr. MYERS of Indiana. If the gentleman will yield further, at the time this came up I understand that the members had been selected already or designated, at least, even though they have not been appointed.

Again, I doubt that we would be here today taking up this resolution if Members of Congress were not to serve on this very select committee. Regardless of how worthy or meritorious this bill is, can the 12 members to be appointed fulfill all their other legislative responsibilities, all probably will be running for reelection and will be doing some politicking during this period, yet do any kind of job of investigation and make a report before we adjourn? To spend that much money in such a short time is just not reasonable.

Mr. MADDEN. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana (Mr. FITHIAN).

(Mr. FITHIAN asked and was given permission to revise and extend his remarks.)

Mr. FITHIAN. Mr. Speaker, I thank the gentleman for yielding.

When I came to this body nearly 2 years ago, I came from a role of a history professor.

I was the person who had seen in the books repeatedly or every so often the statement that we wanted to go back and reinvestigate some assassination.

Mr. Speaker, by training alone, I was opposed to this movement; but in the last 18 months, both from the evidence that has been amassed and the interest that has been exhibited, and from my own investigation and my own reading into this subject, I have been led to believe that this is worthy of our consideration. It is worthy of our consideration because there are too many unanswered questions.

Both of these assassinations and the evidence pertaining to them are now demonstrably incomplete, as has been stated ably by the gentleman from Illinois (Mr. ANDERSON), that being the case, it is time to try to lay this question to rest and to try to assure the American people, who are, as the gentleman from Indiana (Mr. MADDEN), the chairman of the Committee on Rules and Administration, uneasy about this whole matter.

Therefore, I would urge the Member of this body to support this resolution.

Mr. MADDEN. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. PATTEN).

(Mr. PATTEN asked and was given permission to revise and extend his remarks.)

Mr. PATTEN. Mr. Speaker, I think it is odd. Yesterday we had the Clean Air Act. Today we have this resolution.

Everybody in America loves moving pictures and they love to read mystery stories. It is the best way to sell a newspaper.

I work on the Appropriations Committee and there are no TV cameras or lights, no reporters. Let us get into the act even if it is a fake.

Mr. WON PAT. Mr. Speaker, I support House Resolution 1540, which calls for the creation of a select committee to investigate the deaths of the late President John F. Kennedy, his brother Robert, Martin Luther King, and the attempted assassination of Gov. George Wallace.

The measure now before this body is similar to one I cosponsored; House Resolution 456, both of which were written by our esteemed colleague Representative HENRY B. GONZALEZ, of Texas.

The need for Congress to undertake a new and thorough investigation of these matters, particularly the Kennedy assassinations, is very real. Recent events have revealed new information which shed light on some very gray areas of the Kennedy assassinations. Information which should give every American pause to question whether the Warren Commission did, in fact, uncover all the sordid facts surrounding these terrible events in our history. Did Cuban President Fidel Castro play a role in the killings as press reports now indicate may be the case? Did the Mafia know about the murders and are the gangland killings of the two Mafia heads related in any way to the Kennedy assassinations?

I, for one, have no idea if these or any of the numerous theories about the assassinations are valid. But the fact remains that many Americans continue to doubt that all the truth has been revealed.

I have great confidence that should the Congress approve of this legislation, the investigation will be conducted in a professional and responsible manner which will reflect credit on the U.S. Congress. What we are looking for is the truth, not a sideshow. But as long as a reasonable doubt remains, I believe that it is the duty of the Congress to investigate these issues and report to the American people its findings.

Congressman GONZALEZ deserves our support in this matter. He has approached this sensitive issue with dignity and appreciation for the complex issues involved. Should the select committee be authorized, I would heartily recommend that Congressman GONZALEZ be chosen as its chairman. He is extremely familiar with the issues and has undoubtedly developed strong connections with many of the groups who have publicly expressed reservations about the assassinations. Congressman GONZALEZ's record in the House is an outstanding one, and I am confident that he would carry out the

duties of the chairman of the select committee to investigate the assassinations with his usual skill.

Mr. ANDERSON of California. Mr. Speaker, I rise to support House Resolution 1540, a resolution that establishes a House select committee to complete a thorough investigation of the assassinations of President Kennedy and Dr. Martin Luther King, Jr.

Lingering doubt about "what happened" remains with the American people. Uncertainty about the death of great leaders, or anyone cannot be.

Thus, last year I cosponsored a nearly identical resolution (H. Res. 574) introduced by my colleague from Virginia, Mr. DOWNING. Today, I urge every Member to join with me in passing a resolution that, hopefully, will close an old wound.

Mr. BAUCUS. Mr. Speaker, I rise to urge a speedy passage today of House Resolution 1540. As Members of the House of Representatives, we have the duty to investigate and prove or disprove to the best of our ability any allegation of impropriety or conspiracy in these assassinations. The American people have the right to know with the greatest certainty possible the circumstances surrounding deaths of President Kennedy, Martin Luther King, and the attempted assassination of Governor Wallace.

Mr. MINETA. Mr. Speaker, I am most hopeful that today the House will take a step toward ending the 13 years of doubt that have surrounded the assassination of President John F. Kennedy. Public opinion polls have shown us repeatedly that the American people simply do not believe the conclusions of the Warren Commission report. And rather than subsiding, the questions, charges, and doubts grow in scope, magnitude and intensity with the passage of time. The Senate Select Committee on Intelligence Activities concluded that there were serious omissions in the information and evidence provided to the Warren Commission and that another investigation is warranted. I concur with that conclusion and believe the House of Representatives should establish a vehicle to conduct that investigation.

It is clear that the Warren Commission never questioned the guilt of Harvey Oswald and never looked for any information that was not directed to him. In this way they never examined any information that did not fit into this preconceived conclusion, thus the scope of their investigation narrow and incomplete.

I do not pretend to know who or did not, kill President Kennedy. I know that too many questions and doubts remain for us not to create a select committee to investigate that assassination. Further, information has come to light over the last several months regarding the surveillance harassment of Rev. Martin Luther King and the inconsistencies surrounding that assassination warrant attention by the House of Representatives as well.

I urge all of my colleagues to corral the public's right to know the truth and cast an affirmative vote on this resolution.

Mr. BIAOGI. Mr. Speaker, I rise to indicate my full support for this resolution which will establish a new Select Committee on Assassinations. As a cosponsor of this resolution, I consider its passage vital if we are to address the clamorings of millions of Americans to reopen the investigations of the assassinations of John F. Kennedy and Dr. Martin Luther King, Jr.

Now, almost 13 years later, there are still many serious questions being raised on certain key facts associated with the murder of President Kennedy. The relentless efforts of such persons as Mark Lane in his book "Rush to Judgment" as well as other individuals and groups, have produced new evidence which questions the findings of the Warren Commission. It should be clearly understood that the efforts to create this select committee are in no way designed to be a total denunciation of the Warren Commission. Rather, in light of new and substantial evidence, it is imperative that a new inquiry be undertaken and we are seeking to allow Congress to investigate the assassination for the first time.

Similarly, serious questions have been raised about the murder of Dr. Martin Luther King, Jr. New and very disturbing theories have surfaced which deserve close examination. This is exactly what the committee would do.

I am pleased that this resolution will vest the new committee with sufficient authority to insure that thorough inquiries are conducted. These two assassinations of major American leaders have had a profound effect on all Americans. We must write the final chapter on these two dark events in American history by permitting all relevant evidence to be aired and considered so that unimpeachable conclusions on these assassinations may be reached.

Mrs. MINK. Mr. Speaker, I rise in support of House Resolution 1540, to establish a Select Committee on Assassination. Many of us have been shocked in recent times to learn of the extent to which American intelligence and law enforcement agencies have engaged in illegal, improper, and unethical activities. Investigations by both Chambers of Congress have exposed a long history of abuses by the CIA, FBI, and other agencies that have included illegal electronic surveillance, drug abuses, political spying, mail openings, efforts to disrupt and discredit citizen protest groups, and assassination plots against foreign leaders.

The recent disclosure of J. Edgar Hoover's now infamous COINTELPRO memos outlines a nationwide program to "expose, disrupt, misdirect, discredit, or otherwise neutralize the activities" of organizations and leaders who did not share Mr. Hoover's political philosophy. And yet, I would remind my colleagues, that the investigations of the assassinations of President John F. Kennedy, Senator Robert F. Kennedy, and Dr. Martin Luther King, Jr., were dependent upon information gathered under the direction of the very same J. Edgar Hoover.

Mr. Speaker, this Congress had done much to prevent the recurrence of the abuses of the past but to stop at this point is to leave our work half done.

Many Americans are demanding to be told the whole truth about the assassinations of some of our greatest leaders. The recent systematic violations of the Constitution, Federal, State, and local laws by the FBI, CIA, and other agencies, necessitates direct intervention of this honorable body in order to determine if all facts have been brought to light. The American people will expect no less.

Mr. MILLER of Ohio. Mr. Speaker, I rise in opposition to this resolution. The proponents of this resolution are asking the American taxpayers to pay \$250,000 to study the circumstances surrounding the assassinations of certain named individuals and other unnamed individuals. The proponents of this resolution call for the expenditure of these funds even though thousands of dollars have been previously spent on various local, State, and Federal investigations including adjudicatory bodies for the investigation of assassinations.

Now, Mr. Speaker, these are a terrible thing and I could prevent them by writing \$250,000 reports that nobody will read, and I would vote for this resolution. But the proponents of this resolution indicate that we just have to have this study. However, I have neither heard nor seen a great deal from the people demanding this study. The proponents truly down deep in their hearts want this great treatise called for by this resolution. I respectfully suggest that they reach down deep in their pockets and get out their checkbooks and personally contribute to this undertaking. I have it calculated. If each of the Members would write a check for \$575, that will cover the \$250,000 cost of this endeavor. Since the people do not want this resolution it is only fair that we pay the bill and save the taxpayers some funds. I suspect that there would be a lot less studies undertaken if we were required to pay for them out of our own pockets. And I also suspect, Mr. Speaker, that all of these study commissions would not linger on indefinitely if the Members were required to pay for them year after year.

The SPEAKER. All time has expired.

CENTRAL LEAVE

Mr. MADDEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the subject of the pending resolution.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. MADDEN. Mr. Speaker, I move the previous question on the resolution. The previous question was ordered.

The SPEAKER. The question is on the resolution.

The question was taken; and the Speaker announced that the ayes appear to have it.

Mr. ASHBROOK. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 280, nays 65, answered "present" 1, not voting 84, as follows:

[Roll No. 748]

YEAS—280

Abdnor	Frenzel	Morgan
Addabbo	Frey	Mott
Allen	Gibbons	Murphy, III
Amodeo	Gulman	Myers, Pa.
Anderson, Calif.	Gunn	Natcher
Anderson, Ill.	Gonzales	Neri
Andrews, N.C.	Goodling	Nichols
Andrews, N. Dak.	Grassley	Nix
Archer	Gude	Notari
Armstrong	Guyer	Oberstar
Ashbrook	Haley	Obey
Aspin	Hall, Ill.	O'Brien
AuCoin	Hamilton	O'Hara
Baird	Hammer	O'Neill
Baldus	Schmidt	Ottiger
Baucus	Hanley	Patterson, N.Y.
Bauman	Hannaford	Paul
Beard, R.I.	Harkin	Pepper
Bedeil	Harrington	Perkins
Bennett	Harris	Peterson
Bergland	Hayes, Ind.	Peyster
Beverly	Hechler, W. Va.	Pickle
Binggi	Heckler, Mass.	Preyer
Bingham	Hefner	Price
Blanchard	Henderson	Fritchard
Blount	Hightower	Quile
Boxer	Hill	Railsback
Boland	Holland	Regula
Bolling	Holtzman	Reuss
Bonker	Horton	Rhodes
Brademas	Howard	Richmond
Breaux	Hubbard	Rinaldo
Brinkley	Hughes	Roberts
Brodhead	Hungate	Rodino
Brooks	Hyde	Roe
Broomfield	Ichord	Rogers
Brown, Calif.	Jacobs	Roncalio
Brown, Ohio	Jennings	Rosen
Broyhill	Jennette	Rosenbath
Bucshanan	Johnson, Calif.	Roush
Burger	Johnson, Colo.	Russo
Burke, Fla.	Jones, Ala.	St. Germain
Burke, Mass.	Jones, N.C.	Santini
Burton, Philip	Jones, Tenn.	Sarasin
Butler	Jordan	Schneider
Cant	Karch	Schulze
Cederberg	Kasten	Schweiker
Chambers	Kastenmeier	Sharp
Don H.	Kazee	Shriver
Clay	Kemp	Sikes
Cohen	Keya	Black
Condit	Koch	Smith, Iowa
Conyers	Krebs	Smith, Nev.
Corman	Krieger	Solari
Cornell	LaPalce	Speilman
Crane	Lagomarsino	Spencer
D'Amours	Landrum	Staggers
Daniel, Dan	Latta	Stanton
Daniel, R. W.	Leggett	James V.
Daniel, N.J.	Lehman	Stephens
Danielson	Levin	Stokes
Davis	Lloyd, Calif.	Stuckey
De la Garza	Lloyd, Tenn.	Studds
Delaney	Long, La.	Symms
Delums	Long, Md.	Taylor, Mo.
Derwinski	Lundine	Taylor, N.C.
Dicks	McCluskey	Thompson
Dix	McCollister	Thorne
Downey, N.Y.	McDade	Traxler
Downing, Va.	McDonald	Troop
Drinan	McFall	Twigg
du Pont	McHugh	Udall
Early	McKinney	Ullman
Edgar	Madden	Vander Jact
Edwards, Calif.	Madigan	Vank
Ellberg	Martinez	Vigore
Emery	Martin	Wash
Eshelman	Mathias	Wassan
Evans, Colo.	McCarthy	Weaver
Evans, Ind.	McGowan	Whalen
Evans, Tenn.	Mikoyan	White
Fawell	Mikoyan	Whitehurst
Fenwick	Miller, Calif.	Whitworth
Fendley	Mills	Wilson, Bob
Fish	Mitchell, Md.	Wilson, C. R.
Fisher	Mitchell, N.Y.	Wilson, Tex.
Fishback	Mohr	Wyke
Floyd	Moore	Yates
Flora	Montgomery	Young, Alaska
Flowers	Montgomery	Young, Pa.
Foley	Moore	Zablocki
Fors, the	Moorehead	Zelenski
Fraser	Moorehead, Pa.	

NAYS—83

Annunzio	Fary	Patten, N.C.
Beard, Tenn.	Ford, Mich.	Pike
Blester	Gaydos	Quillen
B. Ackinridge	Hall, Tex.	Rosenboover
Brown, Mich.	Harsha	Robinson
Burleson, Tex.	Hicks	Rostenkowski
Burleson, Mo.	Holt	Ruddels
Clawson, Del.	Hutchinson	Satterfield
Cochran	Jarman	Sejelius
Collins, Tex.	Jones, Okla.	Shuster
Conable	Kindness	Simon
Coughlin	Lujan	Sisk
Dent	McClary	Stanton
Derrick	McCormack	J. Williams
Devine	McEwen	Stead
Dickinson	Michel	Steger, Wis.
Dingell	Muller, Ohio	Stratton
Duncan, Oreg.	Mosher	Van Deulin
Duncan, Tenn.	Murtha	Waggoner
Edwards, Ala.	Myers, Ind.	Wampler
Englitz	Nedzi	Wiggins
Erlenborn	Pasman	

ANSWERED "PRESENT"—1

Young, Tex.

NOT VOTING—84

Abzug	Hawkins	Rose
Adams	Hébert	Rousselot
Alexander	Helms	Roybal
Ashley	Helstoski	Rupke
Badillo	Hinsaw	Ryan
Bell	Howe	Barbanes
Bowen	Johnson, Pa.	Schanebelle
Burke, Calif.	Kelly	Schroeder
Burton, John	Ketchum	Shipley
Byron	Lent	Skubitz
Carnegie	Lott	Snyder
Carter	McKay	Stark
Chappell	Mann	Steelman
Chisholm	Matsunaga	Steiger, Arts.
Clancy	Mazzoli	Sullivan
Cleveland	Meeds	Symington
Collins, Ill.	Metcalfe	Talcott
Conlan	Meyner	Teague
Cotter	Millford	Thornton
Eckhardt	Mineta	Vander Veer
Esch	Mink	Winn
Flynt	Moss	Wirth
Ford, Tenn.	Murphy, N.Y.	Wolff
Fuqua	Patterson	Wright
Gialmo	Call	Wyder
Goldwater	Randall	Yatron
Green	Rangel	Young, Ga.
Hagedorn	Rees	
Hansen	Riegle	

The Clerk announced the following pairs:

Mr. Bowen with Mr. Hébert.
 Mr. Chappell with Mr. Talcott.
 Mr. Teague with Mr. Heinz.
 Mr. Matsunaga with Mr. Bell.
 Mr. Flynt with Mr. Esch.
 Mr. John Burton with Mr. Goldwater.
 Mr. Shipley with Mr. Wyder.
 Mr. Wolff with Mr. Lott.
 Mr. Yatron with Mr. Carter.
 Mr. Mineta with Mr. Hansen.
 Mrs. Meyner with Mr. McKay.
 Mr. Mann with Mr. Schenebelle.
 Mr. Cotter with Mr. Howe.
 Mr. Murphy of New York with Mr. Lent.
 Mr. Stark with Mr. Snyder.
 Mr. Rose with Mr. Clancy.
 Mr. Roybal with Mr. Rupke.
 Mr. Hawkins with Mr. Kelly.
 Mr. Adams with Mr. Hagedorn.
 Ms. Abzug with Mr. Steelman.
 Mr. Byron with Mr. Metcalfe.
 Mr. Carnegie with Mrs. Collins of Illinois.
 Mrs. Chisholm with Mr. Winn.
 Mr. Eckhardt with Mr. Skubitz.
 Mr. Fuqua with Mr. Johnson of Pennsylvania.
 Mr. Gialmo with Mr. Riegle.
 Mr. Green with Mr. Symington.
 Mr. Helstoski with Mr. Alexander.
 Mr. Meeds with Mr. Cleveland.
 Mr. Rangel with Mr. Rousselot.
 Mr. Wirth with Mr. Mazzoli.
 Mr. Wright with Mrs. Sullivan.
 Mr. Badillo with Mr. Millford.
 Mr. Ashley with Mr. Steiger of Arizona.
 Mr. Ford of Tennessee with Mr. Conlan.
 Mr. Thornton with Mrs. Burke of California.

Mr. Moss with Mr. Rees.
 Mrs. Mink with Mr. Barbanes.
 Mr. Patterson of California with Mr. Young of Georgia.
 Mr. Ryan with Mrs. Schroeder.
 Mr. Vander Veer with Mr. Randall.
 So the resolution was agreed to.
 The result of the vote was announced as above recorded.
 A motion to reconsider was laid on the table.

NATIONAL FOREST MANAGEMENT ACT OF 1976

Mr. FOLEY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 15069) to amend the Forest and Rangeland Renewal Resources Planning Act of 1974, and for other purposes.

The SPEAKER pro tempore (Mr. BOLAND). The question is on the motion of the gentleman from Washington.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 15069, with Mr. DANIELSON (chairman pro tempore) in the chair.

The Clerk read the title of the bill. The CHAIRMAN pro tempore (Mr. DANIELSON). When the Committee rose on Wednesday, September 15, 1976, the gentleman from Washington (Mr. FOLEY) had 14 minutes of general debate remaining and the gentleman from Idaho (Mr. SYMMS) had 16 minutes of general debate remaining.

The Chair now recognizes the gentleman from Washington (Mr. FOLEY).

Mr. FOLEY. Mr. Chairman, I yield 3 minutes to the gentleman from Oregon (Mr. WEAVER).

(Mr. WEAVER asked and was given permission to revise and extend his remarks.)

Mr. WEAVER. Mr. Chairman, the timber industry and the men and women who work in it have contributed greatly to this Nation, providing the wood products with which we have built our homes and the furnishings within our homes and buildings.

It is a hardworking industry, a proud people, fallers and buckers, choker setters, all who work in the woods, in logging shows, in mud and snow; those who pull on the green chain, the sawyers, those who lay out veneer and make plywood, the log truckdrivers who work from early dawn to late at night, all bringing to America one of its most precious, warm, and useful resources to be constructed by craftsmen into that which, with the food we eat, is the important quality in our lives—our homes.

Oregon is proud to be the State which provides the most softwood timber to this Nation. We do our part, and want always to do our part. We want to continue our ability to provide timber, and at the same time show strong and reasoned concern for the care of our forests and the forests of this Nation.

For, Mr. Chairman, the woods are many things. They are the growing place of magnificent trees, the growing place of plants of rare beauty, and they are the source of our water, the fresh mountain water that is our blessing and our trust. They are the habitat of countless wildlife, the spawning grounds of bright fish, whose natural streams are sensitive to environmental change. We in Oregon are fishermen and women, hunters and hikers, and we love our forests with our streams coursing through the mountains. We know the soils must be carefully preserved to protect all that is in our woods.

We invite you to Oregon to see our natural wonders. Join us if you wish; it is a free country. We only ask one thing, that you help us to keep Oregon, its forests and rivers, a special place to live.

And, we ask this Congress to approve sound, balanced legislation which will keep us at work providing wood to this Nation, and at the same time keep a forest environment that preserves those other vital values of nature; and legislation that will assure that the trees, young and old, growing and harvested, will be with us forever. For, what would Oregon be without trees; the Nation without forests?

Mr. SYMMS. Mr. Chairman, I yield such time as she may consume to the gentleman from Nebraska (Mrs. SMITH).

(Mrs. SMITH of Nebraska asked and was given permission to revise and extend her remarks.)

Mrs. SMITH of Nebraska. Mr. Chairman, I rise in support of H.R. 15069, the National Forest Management Act of 1976.

As reported by the House Agriculture Committee, this legislation would amend the 1897 Organic Act—enacted at a time when our timber resources appeared virtually unlimited—to permit the increase use of the timber produced in our national forests.

As Members know, a recent court decision based on the Organic Act has resulted in an outright ban on all clearcutting in the Monongahela National Forest. If extended to all national forests the Forest Service estimates, timber harvests in the East would be reduced about 10 percent, with a 50-percent reduction in western forests.

The bill presented today would allow limited clearcutting in national forests under the supervision of the Agriculture Department. This will allow the use of modern timber harvesting methods while at the same time assuring adequate protection for the environment.

In addition, today's bill will establish an 8-year reforestation program designed to increase future timber yield.

Mr. Chairman, this represents a sound balance between increasing timber production and protecting the environment. As is evident in the debate last night and today, this is an extremely sensitive issue, and I want to commend the Agriculture Committee for a constructive solution to a difficult problem.